NEW

Constitution of the UNITED STATES

HOW AN 18TH-CENTURY CHARTER BECAME THE CORNERSTONE OF AMERICAN DEMOCRACY

From the makers of ALL ABOUT HISTORY

Digital Edition

FIRST EDITION

WHAT IS FEDERALISM? ★ AMENDMENTS IN DETAIL ★ FOUNDING FATHERS

FUTURE

Welcome to
Constitution
of the
UNITED STATES

The United States' Constitution is the foundation of American democracy – but how did it come to be, and what led to its creation? In this brand-new bookazine, discover the remarkable story of this historic document, from its inception and the unique structure of government that it created, to the amendments that are upheld and championed to this day. Elsewhere, learn about the legacy of this remarkable charter, and see how its creation impacted the lives of US citizens.

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"IN 1787, JACOB SHALLUS ATTENDED THE CONSTITUTIONAL CONVENTION IN PENNSYLVANIA. IT WAS THERE THAT HE PREPARED FOUR PIECES OF PARCHMENT CONTAINING THE WORDS OF WHAT WOULD BECOME THE WORLD'S LONGEST-SURVIVING WRITTEN CHARTER OF GOVERNMENT: THE UNITED STATES CONSTITUTION"

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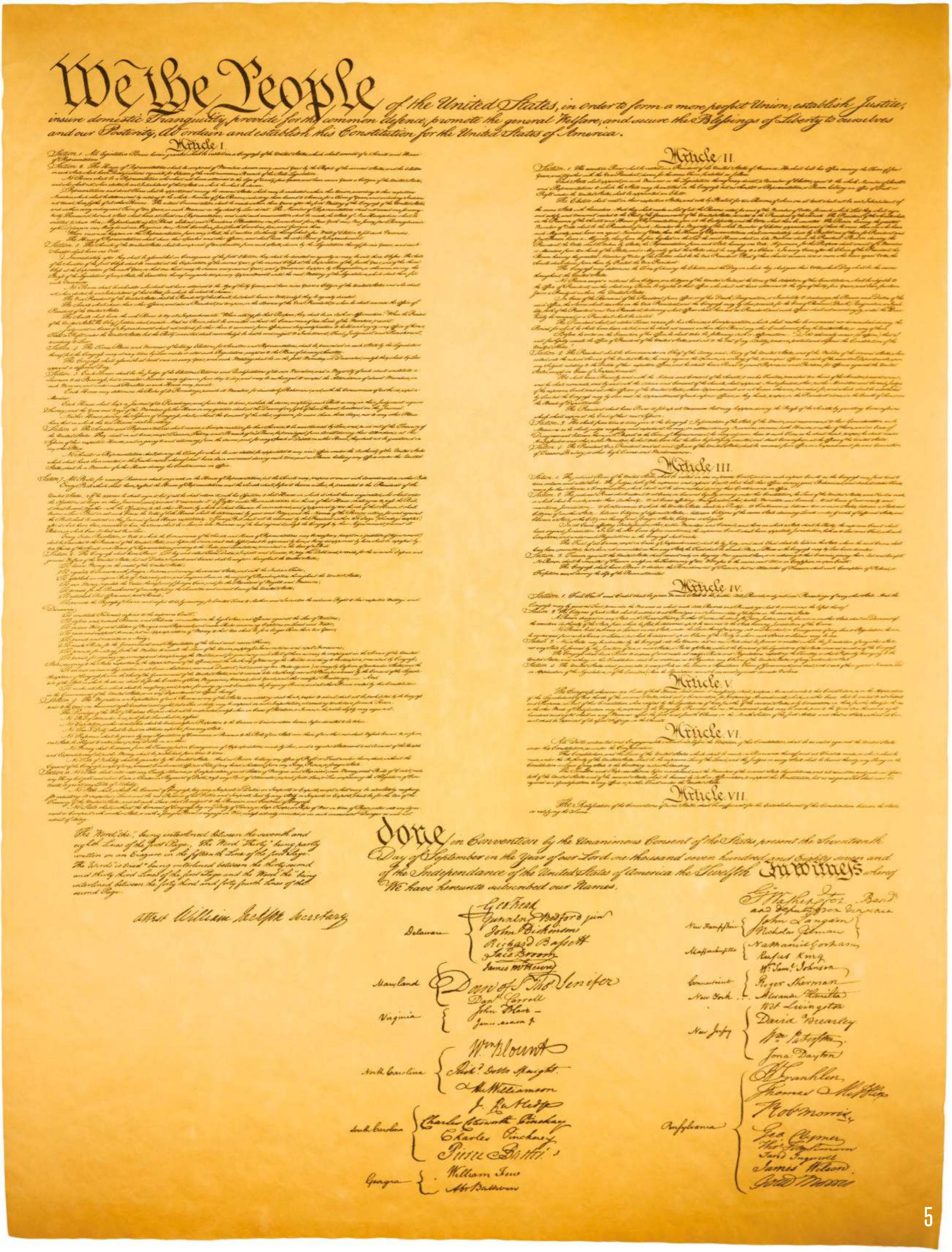

We the People

of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Bleſsings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article I

Article II

Article III

Article IV

Article V

Article VI

Article VII

The Word, "the", being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erazure in the fifteenth Line of the first Page. The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson Secretary

done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witneſs whereof We have hereunto subscribed our Names,

Go. Washington – Presidt and deputy from Virginia

New Hampshire: John Langdon, Nicholas Gilman

Maſsachuſetts: Nathaniel Gorham, Rufus King

Connecticut: Wm Saml Johnson, Roger Sherman

New York: Alexander Hamilton

New Jersey: Wil: Livingston, David Brearley, Wm Paterson, Jona: Dayton

Pennsylvania: B Franklin, Thomas Mifflin, Robt Morris, Geo. Clymer, Thos FitzSimons, Jared Ingersoll, James Wilson, Gouv Morris

Delaware: Geo: Read, Gunning Bedford jun, John Dickinson, Richard Baſsett, Jaco: Broom

Maryland: James McHenry, Dan of St Thos Jenifer, Danl Carroll

Virginia: John Blair –, James Madison Jr.

North Carolina: Wm Blount, Richd Dobbs Spaight, Hu Williamson

South Carolina: J. Rutledge, Charles Cotesworth Pinckney, Charles Pinckney, Pierce Butler

Georgia: William Few, Abr Baldwin

The birth of a nation

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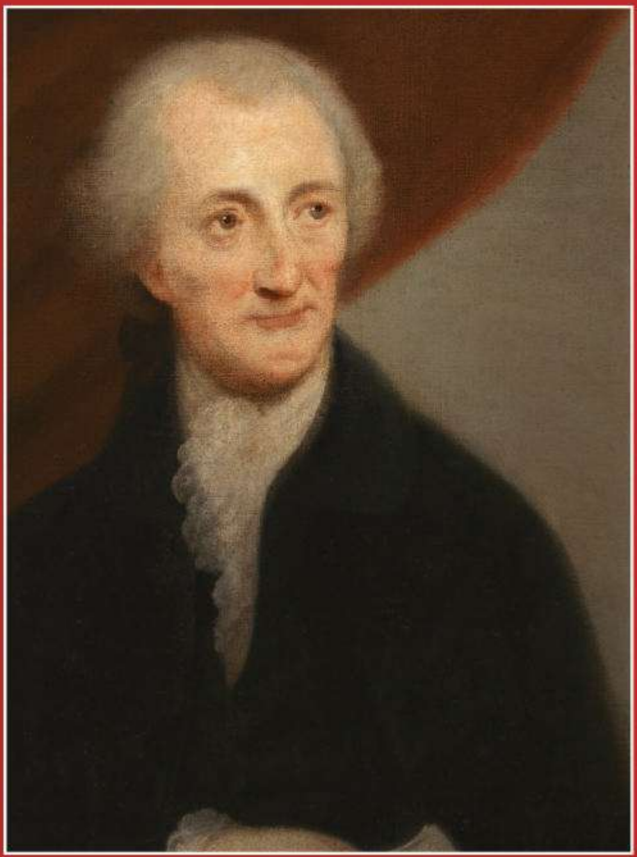

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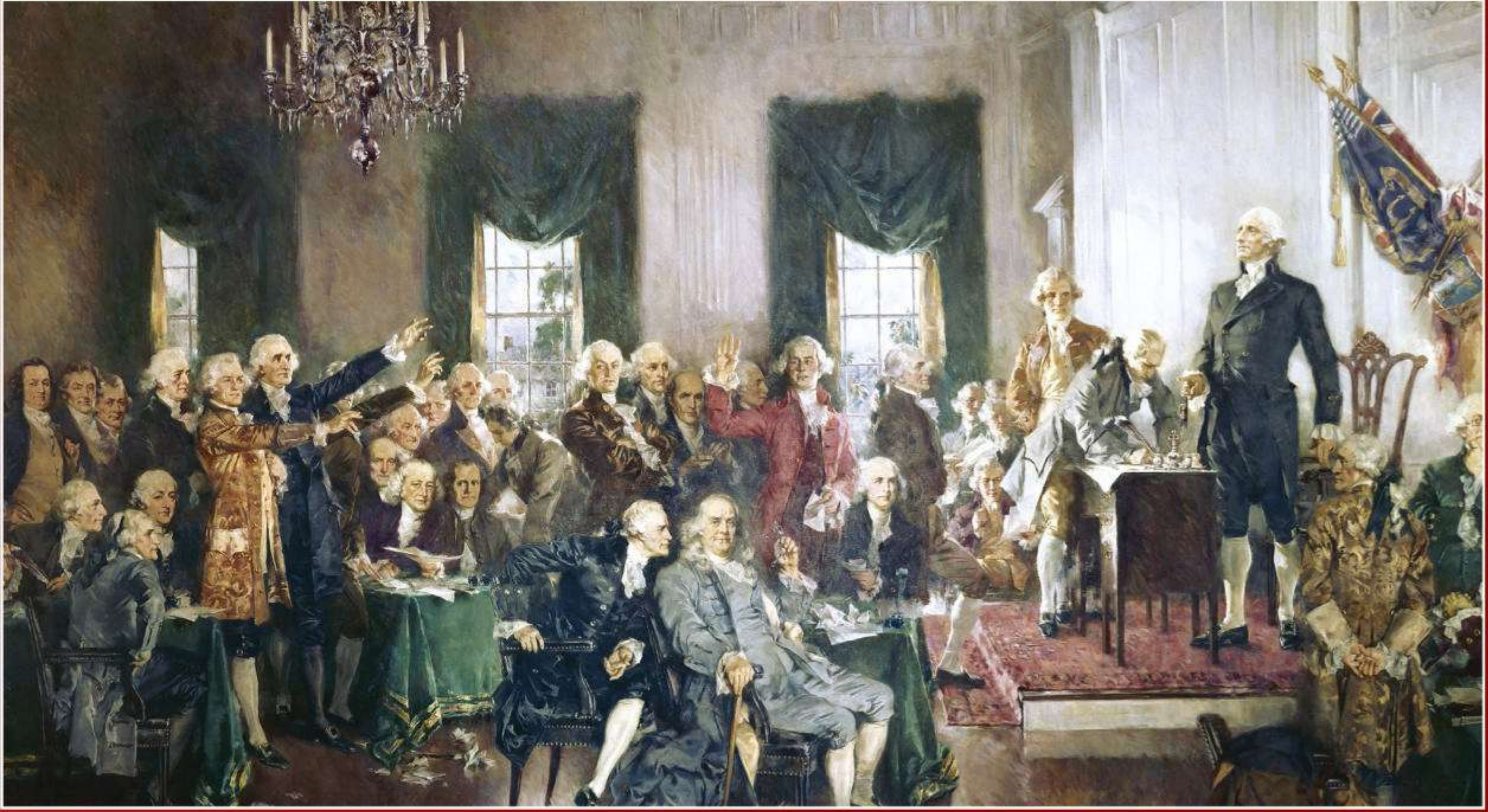
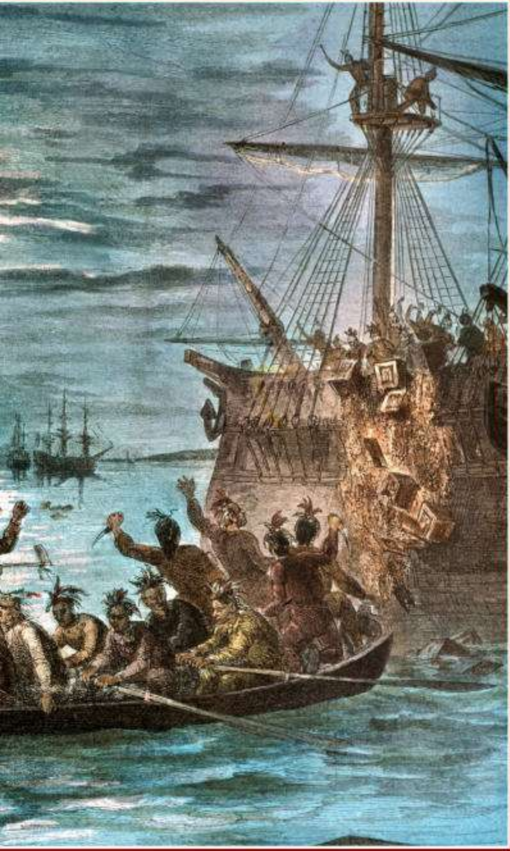
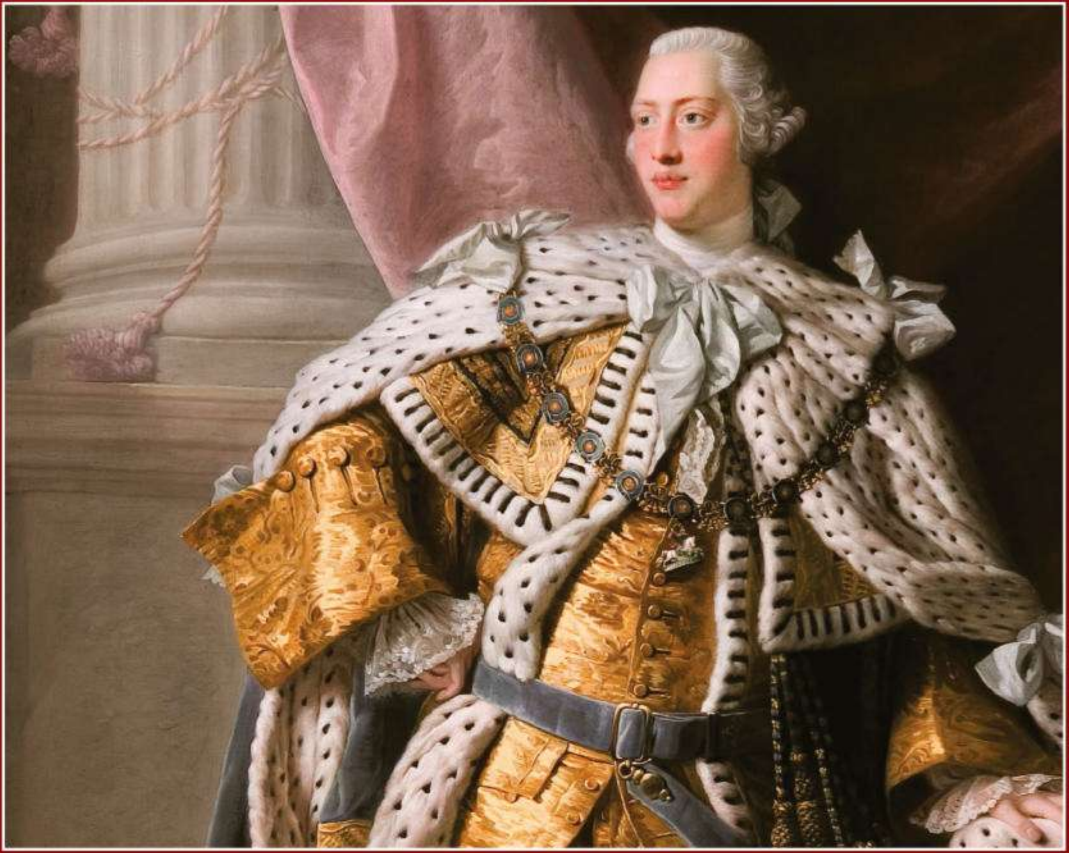






KING GEORGE III

AMERICA'S TYRANT

Blamed for losing the Thirteen Colonies and vilified in the Declaration of Independence, does King George III deserve this bitter legacy?

Written by Jessica Leggett

The crowds swarmed the gilded statue of King George III with the words of the newly signed Declaration of Independence ringing loudly in their ears. They shouted and jeered as they climbed the protective fence, slinging ropes over the king's statue, pulling at them as it violently swayed from side to side. With an almighty crash, the statue came crumbling to the ground against a wave of cheers – no longer would Americans suffer under the tyrannical rule of King George and his British Empire.

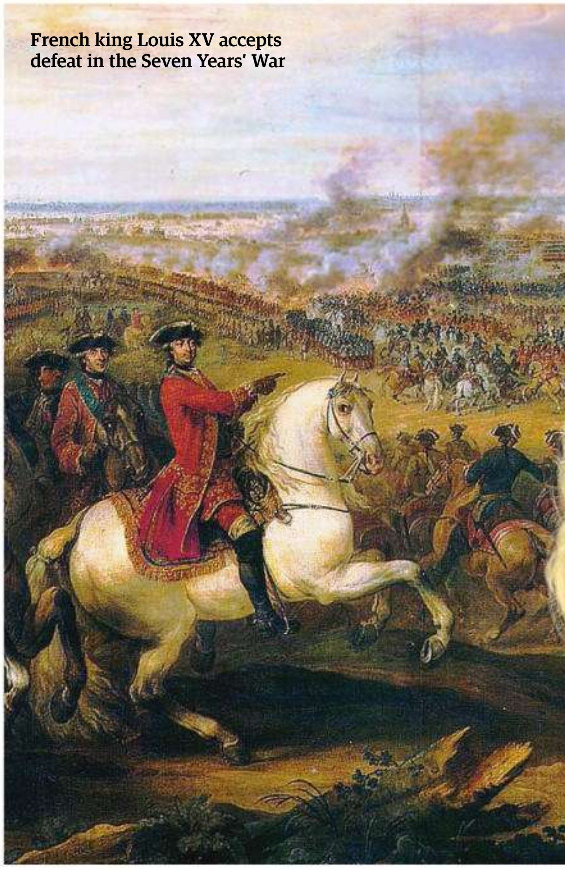
Many of history's biggest watershed moments have involved the tearing down of statues, a symbolic break for freedom at the end of oppressive rule.

Made of gilded lead, the fall of George's statue was poetic in more ways than one as it was melted down and turned into 42,088 musket balls, used by the Continental Army against the king's own forces.

The debate regarding George's reign has raged ever since his lifetime, as the infamous king who not only lost the American colonies, but whose permanent descent into madness caused crisis within the British monarchy. But does George III, the longest-reigning king in British history, really deserve to be remembered as a tyrant?

ON THE PATH TO WAR

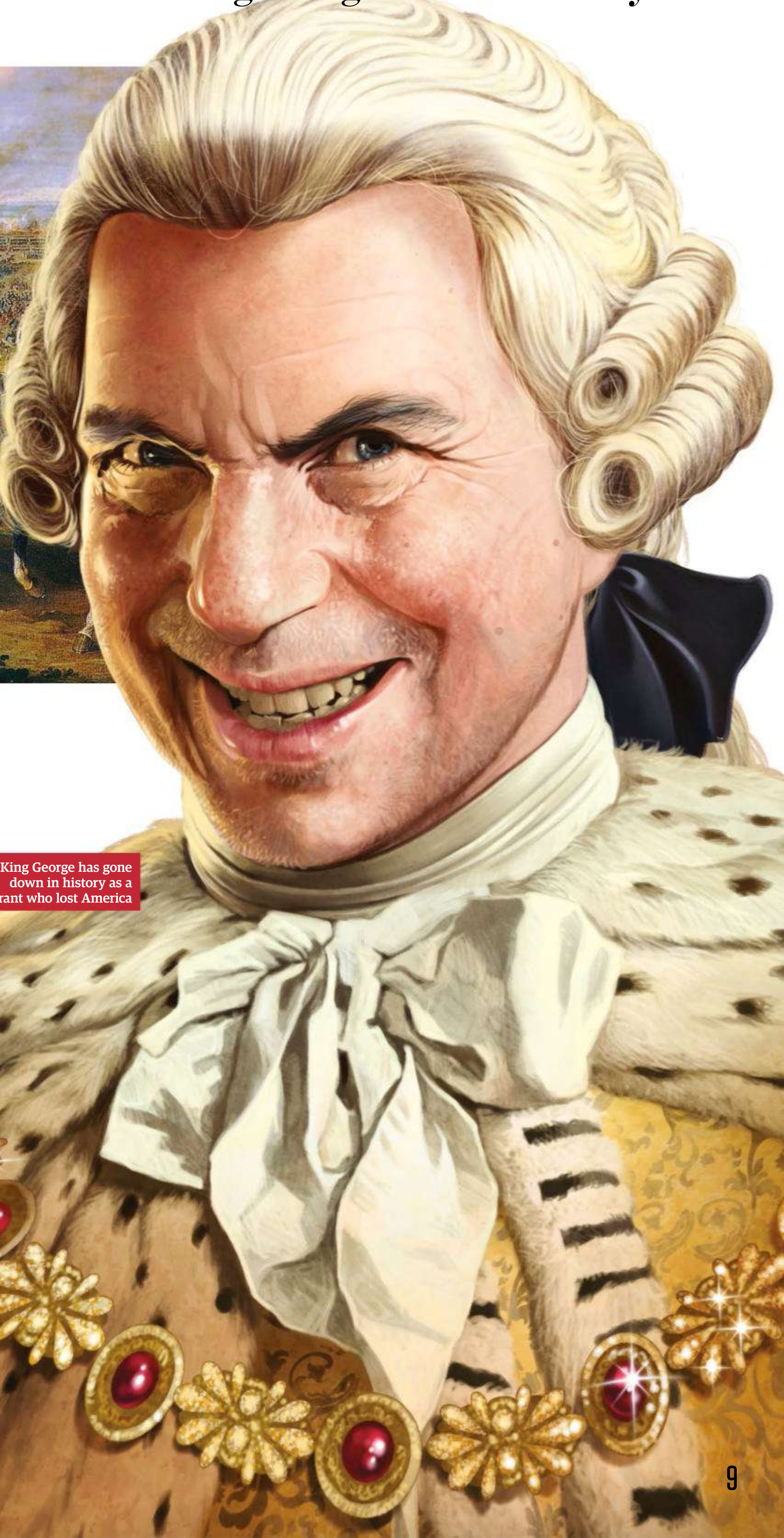
Before taking a look at George's involvement it is important to note that prior to the outbreak of the American War of Independence, discontent had been bubbling across the Thirteen North



French king Louis XV accepts defeat in the Seven Years' War

American colonies against the British Parliament for some time, thanks to the Seven Years' War. The war, which had lasted from 1756 to 1763, had been extremely costly for Britain despite its victory over France and its allies.

Hoping to recoup some of the money that had been spent on the conflict, Parliament decided to tax the colonies on the grounds that the war had partly been fought to protect them from the French in Canada. Britain had also sent 10,000



King George has gone down in history as a tyrant who lost America troops to the colonies to defend the frontier near the Appalachian Mountains. The result was the Stamp Act, passed on 22 March 1765, which imposed direct taxes on the colonists for the first time in order to raise money for their defense. All legal documents, newspapers, calendars and so forth were required to have stamps, which could only be paid for with either silver or gold despite paper money being the most common currency in the colonies.

The Stamp Act left many of the colonists furious. Why should they pay taxes when they had no form of representation in Parliament? The argument that Parliament considered the interests of everyone, and that all English subjects had "virtual representation", did not go down well at all – in fact, the colonists argued that the passing of the taxes with no representation had violated their rights "as Englishmen." Protests against the Stamp Act rose quickly with colonists doing everything they could to ensure that it could not be enforced.

They refused to import British goods, which affected trade, burned effigies of stamp tax distributors and threatened them with violence, to the point where attempts to collect the tax completely failed.

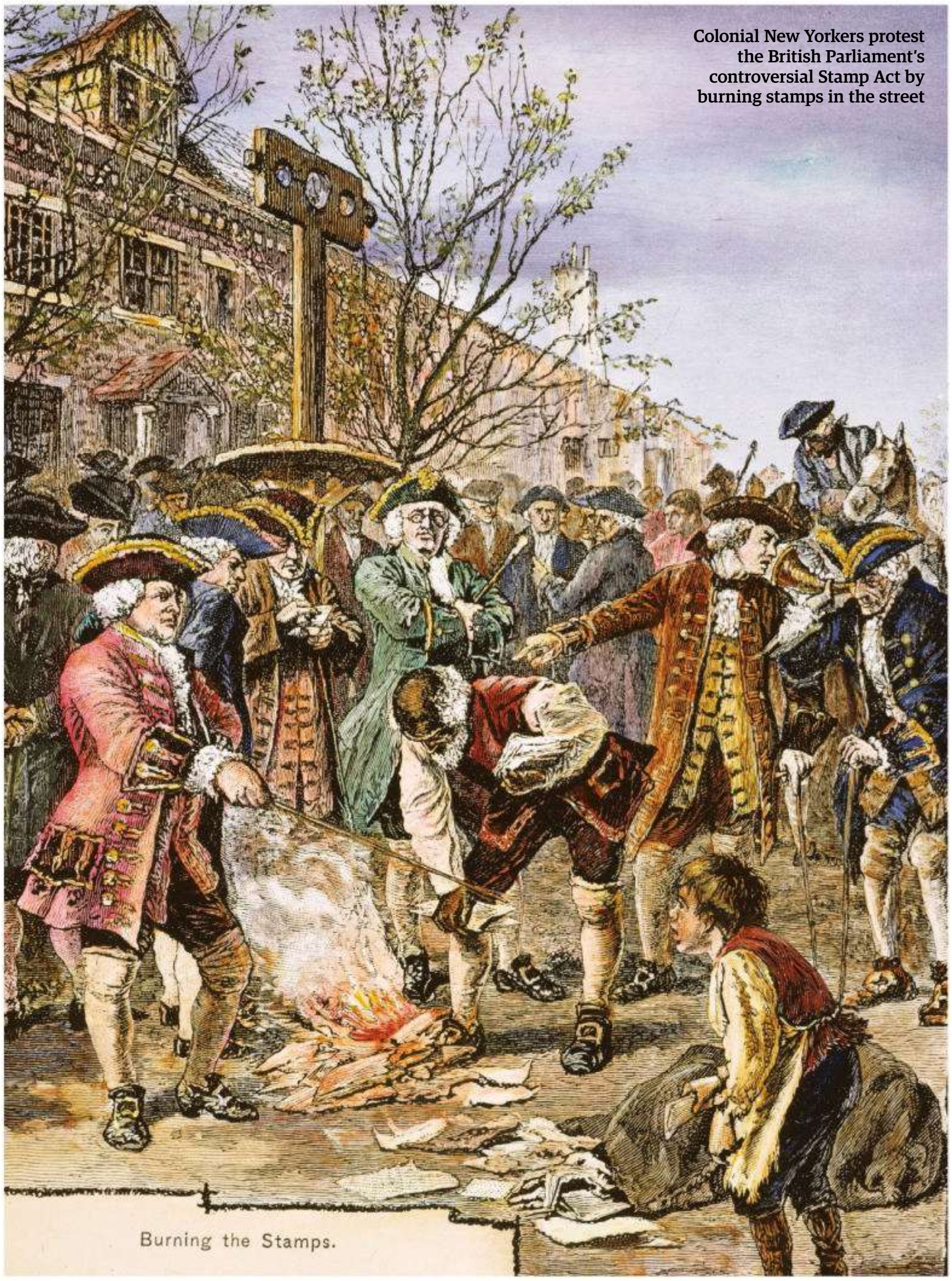
Many of these protests had been led and encouraged by the Sons of Liberty, an organisation created in reaction to the act, with the motto "no taxation without representation". By October, representatives from nine of the 13 colonies had formed the Stamp Act Congress, which declared the act unconstitutional.

To make matters worse for Parliament, trouble was also brewing at home with merchants expressing their anger over the act affecting their ability to trade with the colonies. Under increasing pressure from the colonists and their protests, Parliament eventually repealed the act a year later on 18 March 1766. However that same day they also passed the Declaratory Act, asserting Parliament's authority to tax the colonies. Clearly the battle was just beginning.

Just two months after enacting the Stamp Act, Parliament had also introduced the Quartering Act, which required the colonies to house the British Army.

In particular the New York colonial assembly refused to comply, arguing that they had not be consulted about the army's presence and that they had not given their consent.

The Quartering Act was not repealed like the Stamp Act, with Parliament deciding to punish New York for its defiance. They responded by introducing the New York Restraining Act, which prevented the colony's royal governor


Burning the Stamps.

Colonial New Yorkers protest the British Parliament's controversial Stamp Act by burning stamps in the street

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"MANY THESE PROTESTS HAD BEEN LED AND ENCOURAGED BY THE SONS OF LIBERTY"

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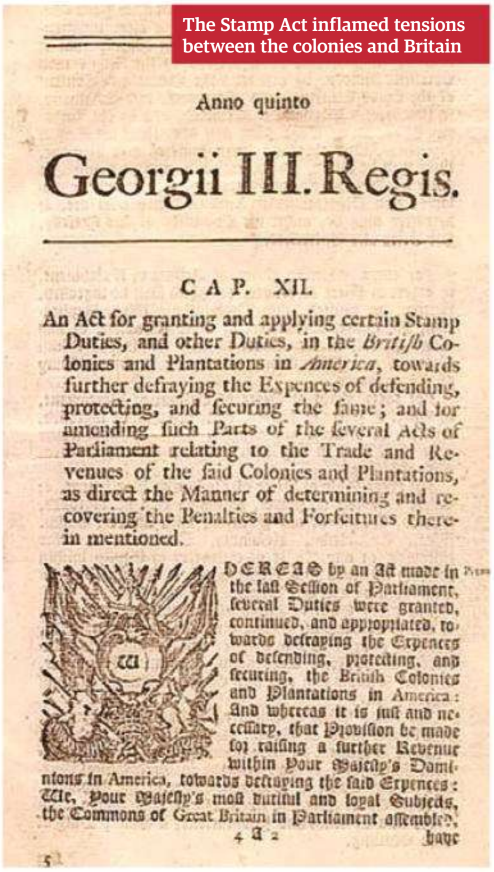

The Stamp Act inflamed tensions between the colonies and Britain

Anno quinto

Georgii III. Regis.

C A P. XII.

An Act for granting and applying certain Stamp Duties, and other Duties, in the *Britiſh* Colonies and Plantations in *America*, towards further defraying the Expences of defending, protecting, and ſecuring the ſame; and for amending ſuch Parts of the ſeveral Acts of Parliament relating to the Trade and Revenues of the ſaid Colonies and Plantations, as direct the Manner of determining and recovering the Penalties and Forfeitures therein mentioned.

WHEREAS by an Act made in the laſt Seſſion of Parliament, ſeveral Duties were granted, continued, and appropriated, towards defraying the Expences of defending, protecting, and ſecuring, the Britiſh Colonies and Plantations in America: And whereas it is juſt and neceſſary, that Proviſion be made for raiſing a further Revenue within Your Majeſty's Dominions in America, towards defraying the ſaid Expences: We, Your Majeſty's moſt dutiful and loyal Subjects, the Commons of Great Britain in Parliament aſſembled, have

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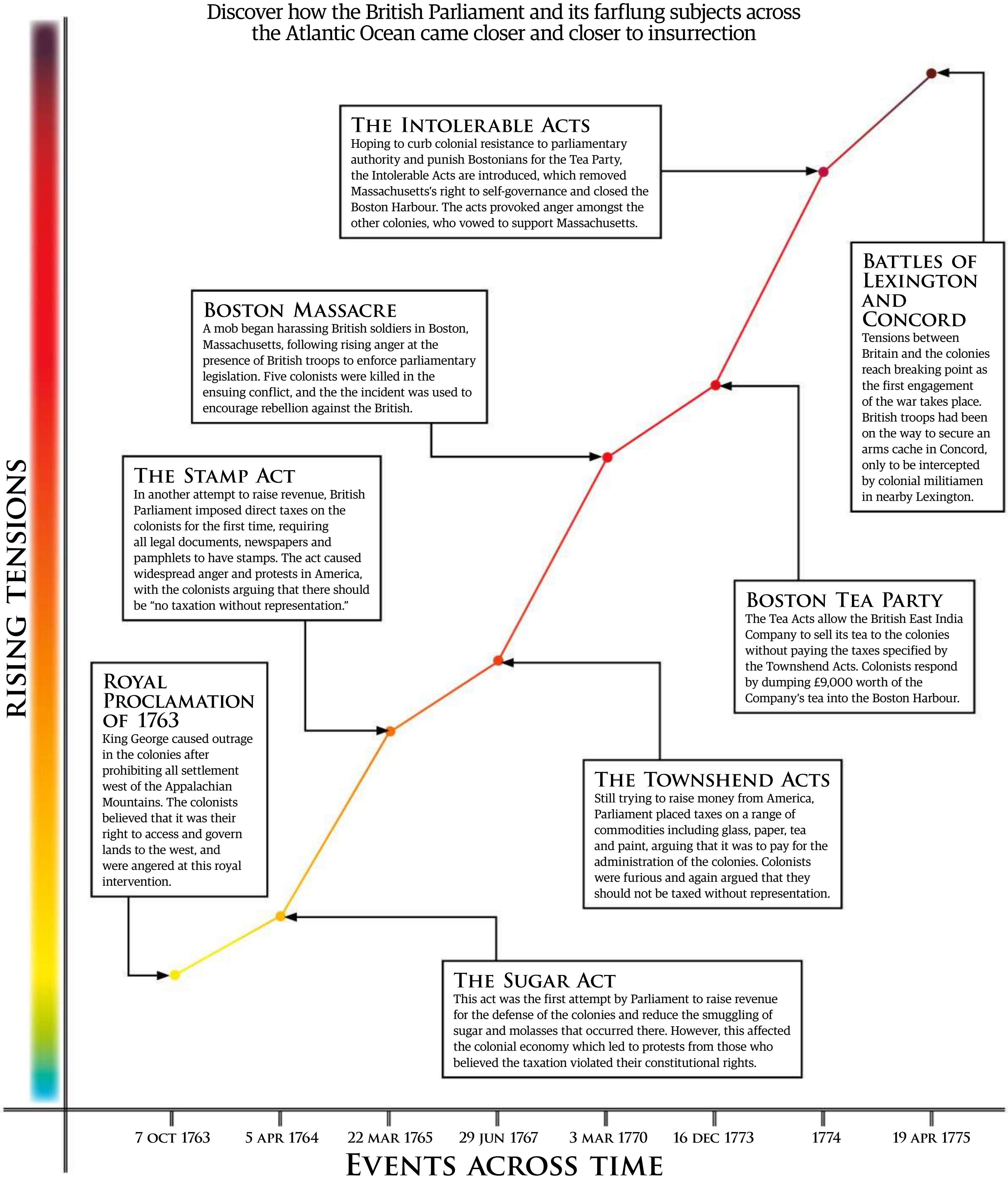
ESCALATION OF THE AMERICAN REVOLUTION

Discover how the British Parliament and its farflung subjects across the Atlantic Ocean came closer and closer to insurrection



ROYAL PROCLAMATION OF 1763

King George caused outrage in the colonies after prohibiting all settlement west of the Appalachian Mountains. The colonists believed that it was their right to access and govern lands to the west, and were angered at this royal intervention.

THE SUGAR ACT

This act was the first attempt by Parliament to raise revenue for the defense of the colonies and reduce the smuggling of sugar and molasses that occurred there. However, this affected the colonial economy which led to protests from those who believed the taxation violated their constitutional rights.

THE STAMP ACT

In another attempt to raise revenue, British Parliament imposed direct taxes on the colonists for the first time, requiring all legal documents, newspapers and pamphlets to have stamps. The act caused widespread anger and protests in America, with the colonists arguing that there should be "no taxation without representation."

THE TOWNSHEND ACTS

Still trying to raise money from America, Parliament placed taxes on a range of commodities including glass, paper, tea and paint, arguing that it was to pay for the administration of the colonies. Colonists were furious and again argued that they should not be taxed without representation.

BOSTON MASSACRE

A mob began harassing British soldiers in Boston, Massachusetts, following rising anger at the presence of British troops to enforce parliamentary legislation. Five colonists were killed in the ensuing conflict, and the the incident was used to encourage rebellion against the British.

BOSTON TEA PARTY

The Tea Acts allow the British East India Company to sell its tea to the colonies without paying the taxes specified by the Townshend Acts. Colonists respond by dumping £9,000 worth of the Company's tea into the Boston Harbour.

THE INTOLERABLE ACTS

Hoping to curb colonial resistance to parliamentary authority and punish Bostonians for the Tea Party, the Intolerable Acts are introduced, which removed Massachusetts's right to self-governance and closed the Boston Harbour. The acts provoked anger amongst the other colonies, who vowed to support Massachusetts.

BATTLES OF LEXINGTON AND CONCORD

Tensions between Britain and the colonies reach breaking point as the first engagement of the war takes place. British troops had been on the way to secure an arms cache in Concord, only to be intercepted by colonial militiamen in nearby Lexington.

AMERICA'S FIRST WHISTLEBLOWER

How Benjamin Franklin upped the stakes with a leaked letter

Before he became one of the Founding Fathers of the United States, Benjamin Franklin was an agent in London, on behalf of Massachusetts. For some time he had watched as the relationship between Britain and the colonies deteriorated as tensions increased, something which concerned him greatly.

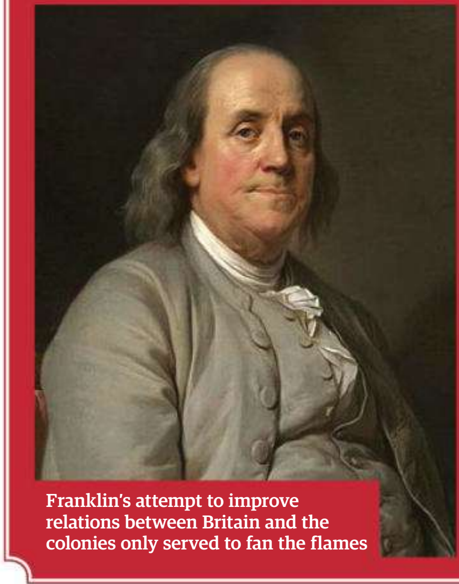
Therefore, it is unsurprising that when Franklin saw an opportunity that he thought would improve the situation, he took it. In 1772 he obtained letters that had been addressed to the late Thomas Whately, an assistant to British Prime Minister George Grenville, from the Governor of Massachusetts, Thomas Hutchinson, and his secretary and brother-in-law Andrew Oliver.

Hutchinson, a staunch loyalist to the crown, and Oliver had encouraged both the king and Parliament to act against the colonists for their protests. Believing that the men had misled Parliament about the situation in Massachusetts, Franklin decided to send the letters to Thomas Cushing, speaker of the Massachusetts assembly.

He hoped that the letters would show the assembly that it was Hutchinson and Oliver who had instigated the trouble between Parliament and the colonies, not the British ministers themselves, but asked Cushing to keep the letters private.

However they were published in June 1773 in the *Boston Gazette* and caused widespread outrage in Massachusetts, with colonists demanding Hutchinson's removal. Meanwhile, Britain remained focused on identifying who leaked the letters, with Franklin eventually admitting his role.

Lambasted, humiliated and accused of being a thief and a spy in front of the Privy Council, Franklin returned to America fully committed to the Revolutionist cause.



Franklin's attempt to improve relations between Britain and the colonies only served to fan the flames

from approving legislation until the assembly complied with the law.

This new act was one of the Townshend Acts that Parliament enacted between 1767 and 1768, some of which enforced taxes on goods imported to the colonies from Britain, such as glass, paper and tea. The acts only served again to escalate tensions between Parliament and the colonies, who again argued that such taxation was unfair when they had no representation.

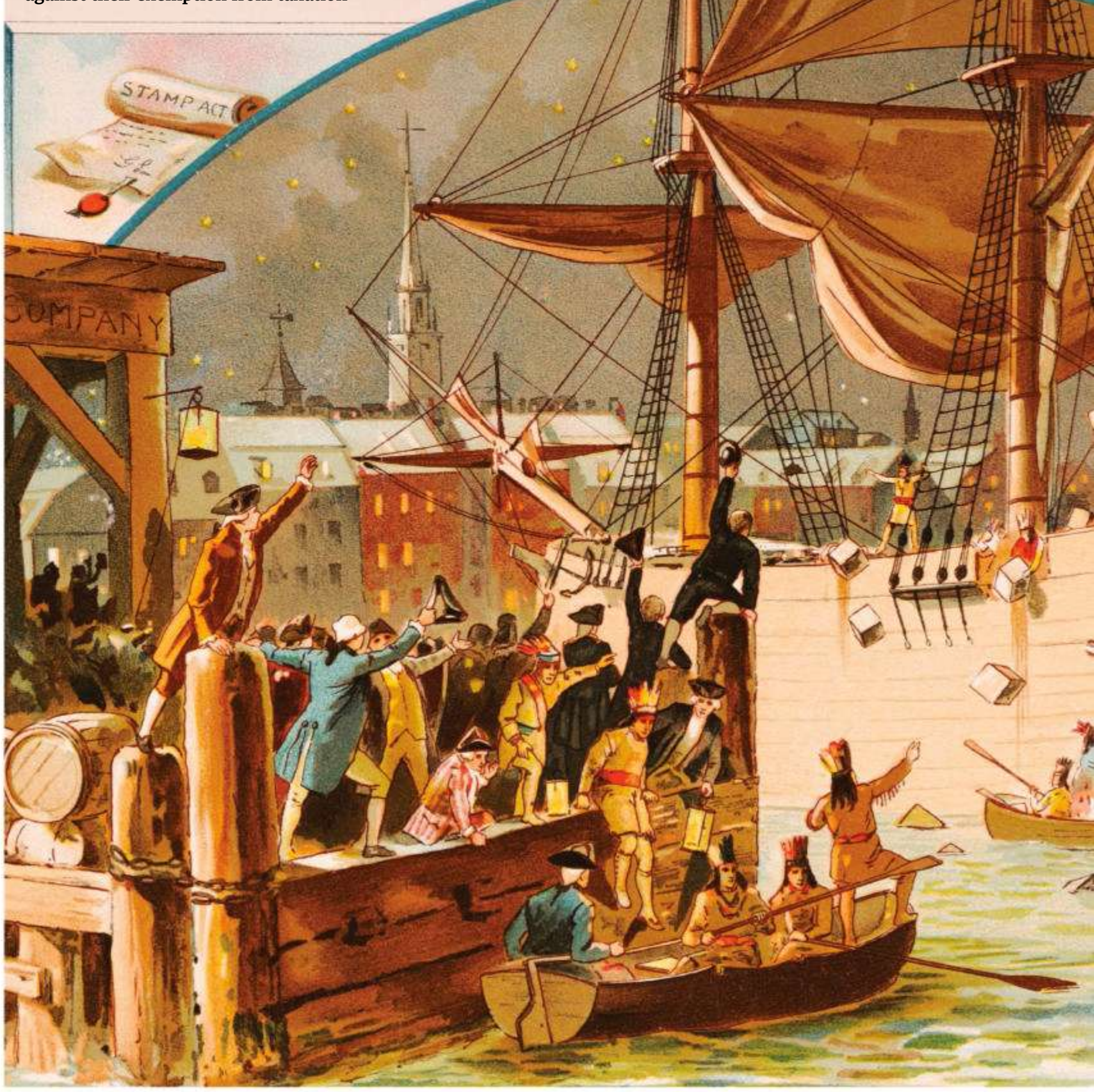
Following a riot in the town of Boston, Massachusetts, British troops were stationed there from 1768. Two years later, a confrontation between the soldiers and a mob of colonists led to the British firing into the crowd, resulting in the death of five Americans – an incident that became known as the Boston Massacre.

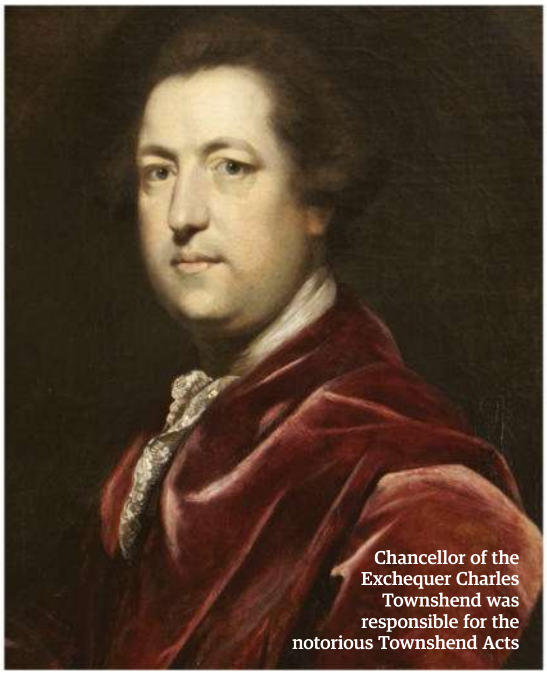
The rising American Revolution would witness one of its most defining moments with the passing of the Tea Act in May 1774. The Act enabled the British East India Company to sell tea in the colonies without paying the taxes mentioned in the Townshend Acts. Infuriated, a group of colonists chucked thousands of pounds worth of tea in the Boston Harbour, an incident that became known as the Boston Tea Party.

THE ROLE OF KING GEORGE III

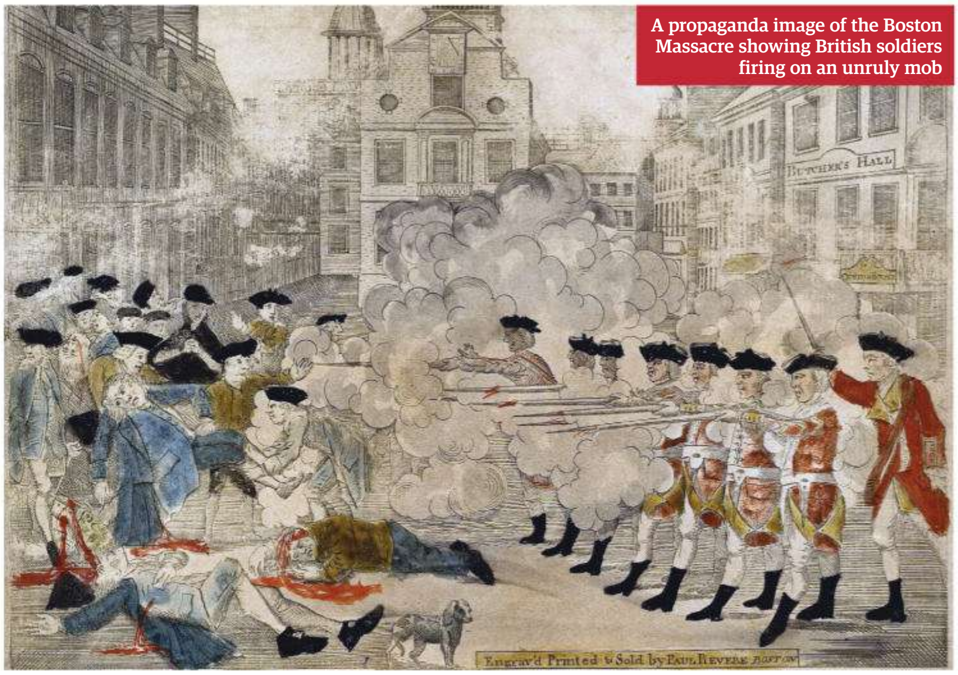
So, where exactly does King George fit into all of this rising tension? It seems strange to think that, for a man with such a villainous reputation across the pond, the king never set foot on the American continent or, for that matter, even ventured into either Scotland or Ireland – but that does not mean that he did not know how to interfere. Following the conclusion of the Seven Years' War, Britain helped itself to French territory in North America. Now, George had to find a way to placate the Native Americans living there, as they had been loyal to the French during the war. He decided to issue the Royal Proclamation of 1763, forbidding any settlement west of the Appalachian Mountains, therefore denying the colonists the right to resources and land there. Of course, the restriction placed on their migration upset the colonists, who were

Bostonians throw creates of East India Company tea into the harbour, in protest against their exemption from taxation

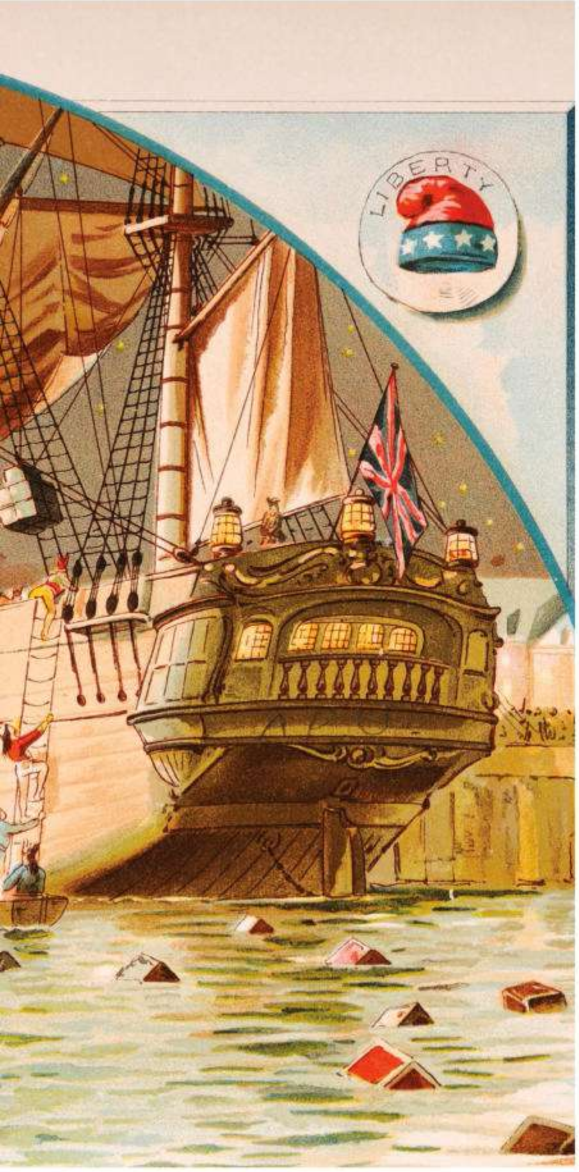




Chancellor of the Exchequer Charles Townshend was responsible for the notorious Townshend Acts


Butcher's Hall
Engrav'd Printed & Sold by Paul Revere Boston

A propaganda image of the Boston Massacre showing British soldiers firing on an unruly mob



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> "AN INCIDENT THAT BECAME KNOWN AS THE BOSTON TEA PARTY"

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also angered by that the Proclamation prevented them from trading with the Native Americans, except from licensed traders. George's intention had been to protect the indigenous people, but in the process, he had planted a seed of resentment among the colonists.

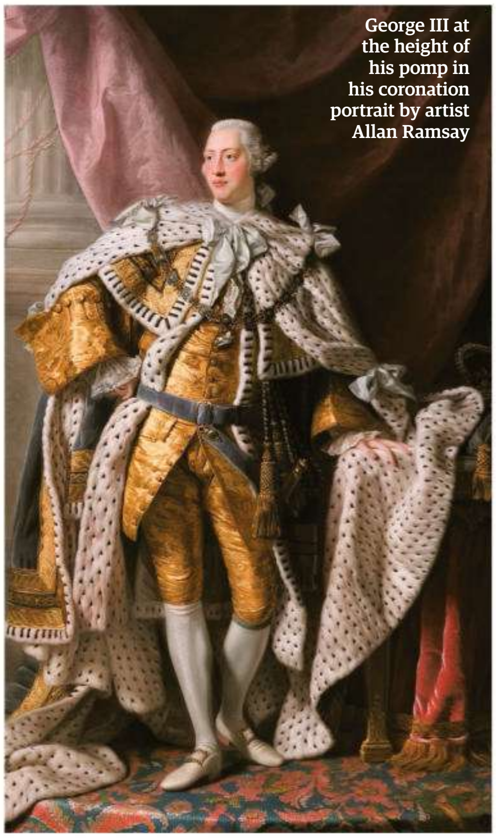
The king believed, following the conclusion of the war, that the settlement of America was Britain's top priority, which led to Parliament's decision to station an army there without the agreement of the colonial assemblies.

However George disagreed with the issuing of the Stamp Act and said that it was "abundant in absurdities", although he had no choice but to assent to the act as he was unable to go against Parliament, which had granted the British crown to the Hanoverian dynasty only on condition that absolutism was consigned to the past.

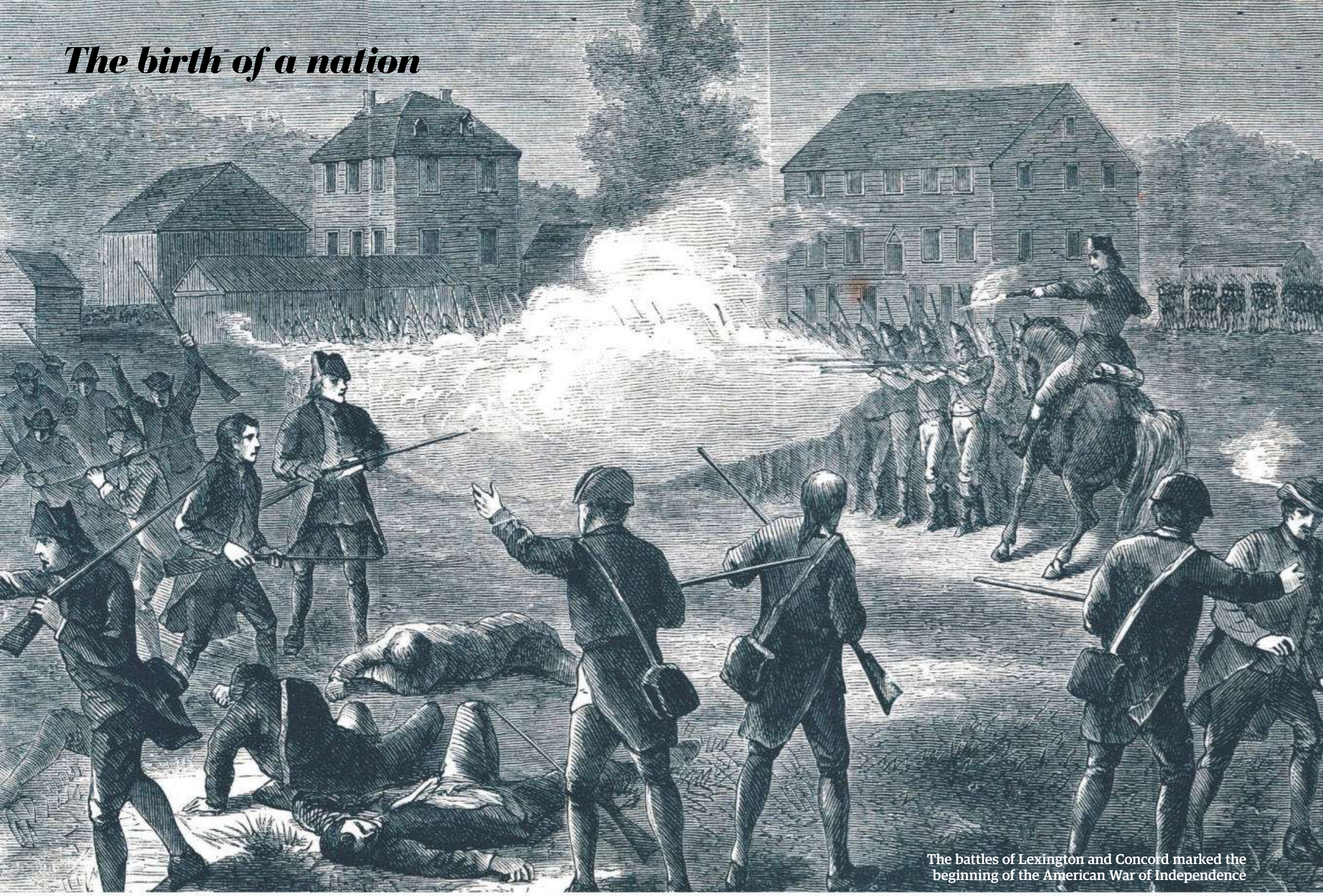
Nonetheless George did support the policy of raising revenue from the colonies and he soon became frustrated following the Boston Tea Party, believing that Britain had become too lenient. He argued that stronger measures were needed to get the Americans, who had repeatedly resisted parliamentary authority, under control. Consequently Parliament enacted the Coercive Acts, also known as the Intolerable Acts, in 1774.

The Coercive Acts were a series of four acts designed to restore control in Massachusetts and in particular, punish the Bostonians for rebelling with the Tea Party. As a result, Boston's port was closed until the colonists had paid for the destroyed tea. Parliament would appoint the Massachusetts Governor's council, the Royal Governor could prevent prosecution of British officials from occurring in Massachusetts and finally, all colonies had to provide housing for British troops stationed in America.

Parliament had hoped that these measures would serve as a warning and prevent further rebellions against its authority. Instead the other colonies saw the acts as a violation of their



George III at the height of his pomp in his coronation portrait by artist Allan Ramsay



The battles of Lexington and Concord marked the beginning of the American War of Independence

rights and aroused sympathy for Massachusetts, subsequently turning even more colonists against the British.

The First Continental Congress formed in response to the acts, appealing to King George to stop them, while organising protests and a boycott of British goods. With anger rising, the king told his Prime Minister, Lord North, in November 1774 that "we must either master them or totally leave them to themselves and treat them as aliens."

The situation finally came to a head on 19 April 1775. Hundreds of British troops had made their way to the town of Concord, Massachusetts, hoping to seize the arms store used by the Boston militia that had formed in the colony.

The British and the militia came face to face in the town of Lexington, where a shot sparked the first battle of the war. Remembered as "the shot heard round the world," it was the moment when the battle lines had been drawn and there was no going back.

Following the Battles of Lexington and Concord, a final attempt was made to appeal King George by the Second Continental Congress through the Olive Branch Petition, which was signed by the Congress on 8 July 1775. It was hoped that the petition would prevent further bloodshed and the beginning of an all-out war.

But the petition was too late. After receiving reports of the Battle of Bunker Hill in Charlestown, Massachusetts, the king retaliated by issuing the Proclamation of Rebellion on 23 August 1775. He accused the colonies of "forgetting the allegiance which they owe to their power that has protected and supported them" and that they were in "open and avowed rebellion, by arraying themselves in a hostile manner." For both sides, it was the final straw.

Not only had George formally declared that the colonies were in rebellion, but he refused to even read the Olive Branch Petition and commented that the colonists had "strongest protestations of loyalty to me… whilst they were preparing for a general revolt". Meanwhile the Congress and the rest of the colonists took the king's refusal to look at the petition as evidence that he did not care about their problems.

Two months later, on 27 October, George spoke to both houses of Parliament and urged them to end the American revolt quickly. He firmly stated that "many of these unhappy people may still retain their loyalty, and may be too wise not to see the fatal consequence of this usurpations, and wish to resist it, yet the torrent of violence has been strong enough to compel their acquiescence, till a sufficient force shall appear to support them." The king's message was unmistakable – it was time to send the troops in. As for the colonists, they began to take a more anti-monarchal stance thanks to a pamphlet, *Common Sense*, written by Thomas Paine, one of the Founding Fathers of the United States. Published in January 1776, it successfully galvanised support for American Independence for the first time amongst the colonies. Up until then, the primary focus of the conflict for the colonists had been to assert their right to self-governance, not to gain independence.

WAR BEGINS WITH
SKIRMISH AT
LEXINGTON
1775
APRIL 19, 1775
Confrontation between British and
Patriots leaves 8 Minutemen
dead. The Colonists attack
at Concord. By day's end,
Redcoats sustain 273
casualties.

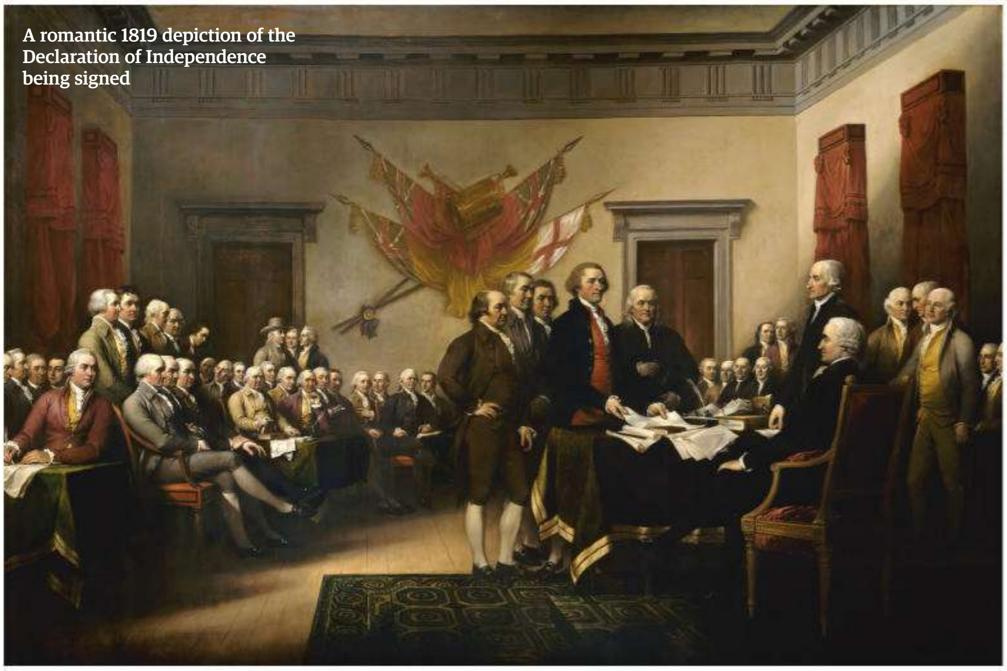
This 1970 silver medal commemorates the start of the American Revolutionary War at Lexington

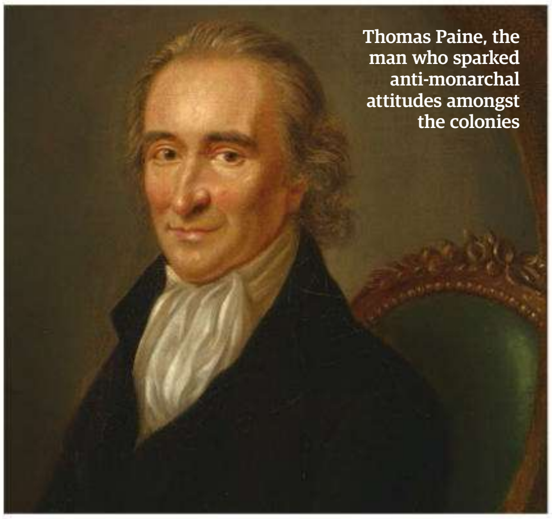
> “THE THIRTEEN COLONIES WERE NO LONGER SUBJECT TO BRITISH RULE”

Six months later, the Declaration of Independence was ratified by the Second Continental Congress on 4 July. The Thirteen Colonies were no longer subject to British rule and instead, they had become independent sovereign states, justifying their independence by listing their grievances against the king who they described as, “A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.”

WAS KING GEORGE REALLY A TYRANT?

Just like that, George III had been painted as the tyrant who had driven the colonists to revolution, forever defined by the words written in the Declaration. In its wake, mock trials and executions of the king were held while his effigy was burned and buried across the colonies, his villainous reputation solidified. After all, it could be argued that it was easier for the Americans to justify a revolt against a tyrant than to try and fight on for reform. The accusations made against the king varied. For example, his refusal to grant assent to laws, obstructing administration of justice, maintaining standing armies without the colonists' consent and choosing to wage war against them. In one of the most damning statements of the Declaration, the Congress also claims that George “plundered our seas, ravaged our coasts, burnt our towns and destroyed the lives of our people”. But was George really a tyrannical king, guilty of these crimes? By


A romantic 1819 depiction of the Declaration of Independence being signed


Thomas Paine, the man who sparked anti-monarchal attitudes amongst the colonies

IN CONGRESS. JULY 4. 1776.

The unanimous Declaration of the thirteen united States of America.

The Declaration of Independence changed the purpose of the war

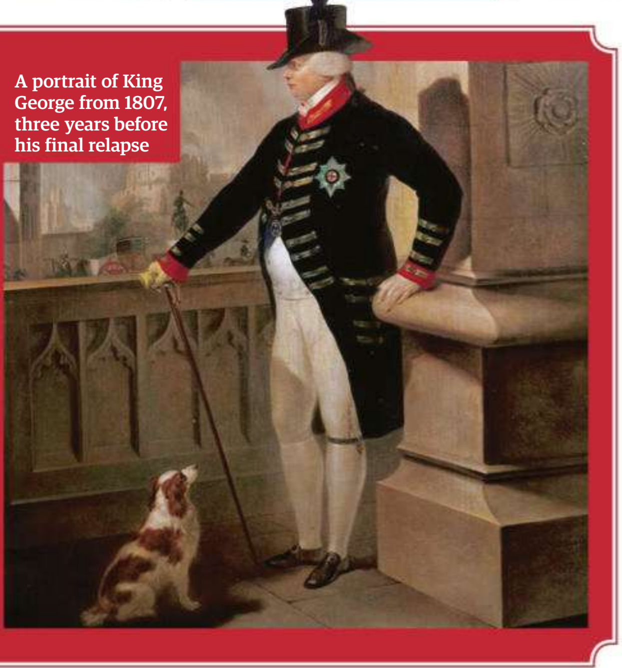
TO CURE A KING George III's medical mystery

What exactly did King George III suffer from? This is a question that has debated ever since his lifetime, with the most commonly cited reason being porphyria, a blood disorder. Known for causing aches and pains in the inflicted, as well as psychiatric problems, it often believed that the king suffered from the disorder on account of his blue urine, a symptom of porphyria.

However, in recent years, other suggestions have been put forward for the king's illness. Analysis of George's letters indicates that he may have suffered from bipolar disorder because when he was ill, his language would become more colourful and his sentences would be long and repetitive, containing up to 400 words.

It is possible that some of the treatments used on George actually made his illness worse. To blister the skin, which was believed to rid the body of toxins, the king was regularly treated with arsenic-based powders. In 2005, analysis of George's hair had a concentration of arsenic that was 300 times the level which is considered to be toxic. As arsenic is known to trigger porphyria, it is likely that the king's doctors were making him worse, not better.

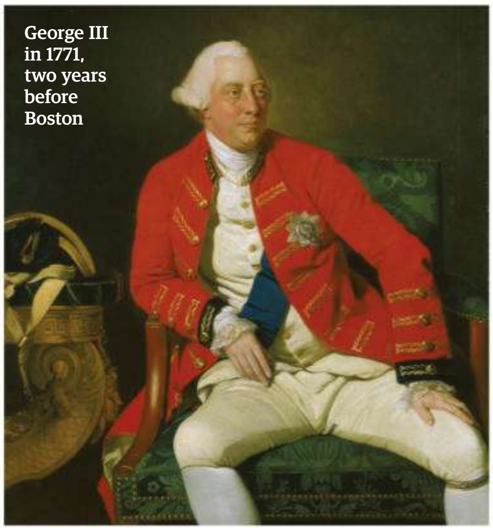
Unfortunately, George was subject to a number of now discredited treatments in a vain attempt to treat his illness. This included vinegar and water footbaths, ingesting musk and bark, bloodletting, cupping, restraining him and taking purgatives, just to name a few. Although George recovered from a serious bout of illness from 1788 to 1789, he would eventually succumb to permanent insanity by 1810.


A portrait of King George from 1807, three years before his final relapse

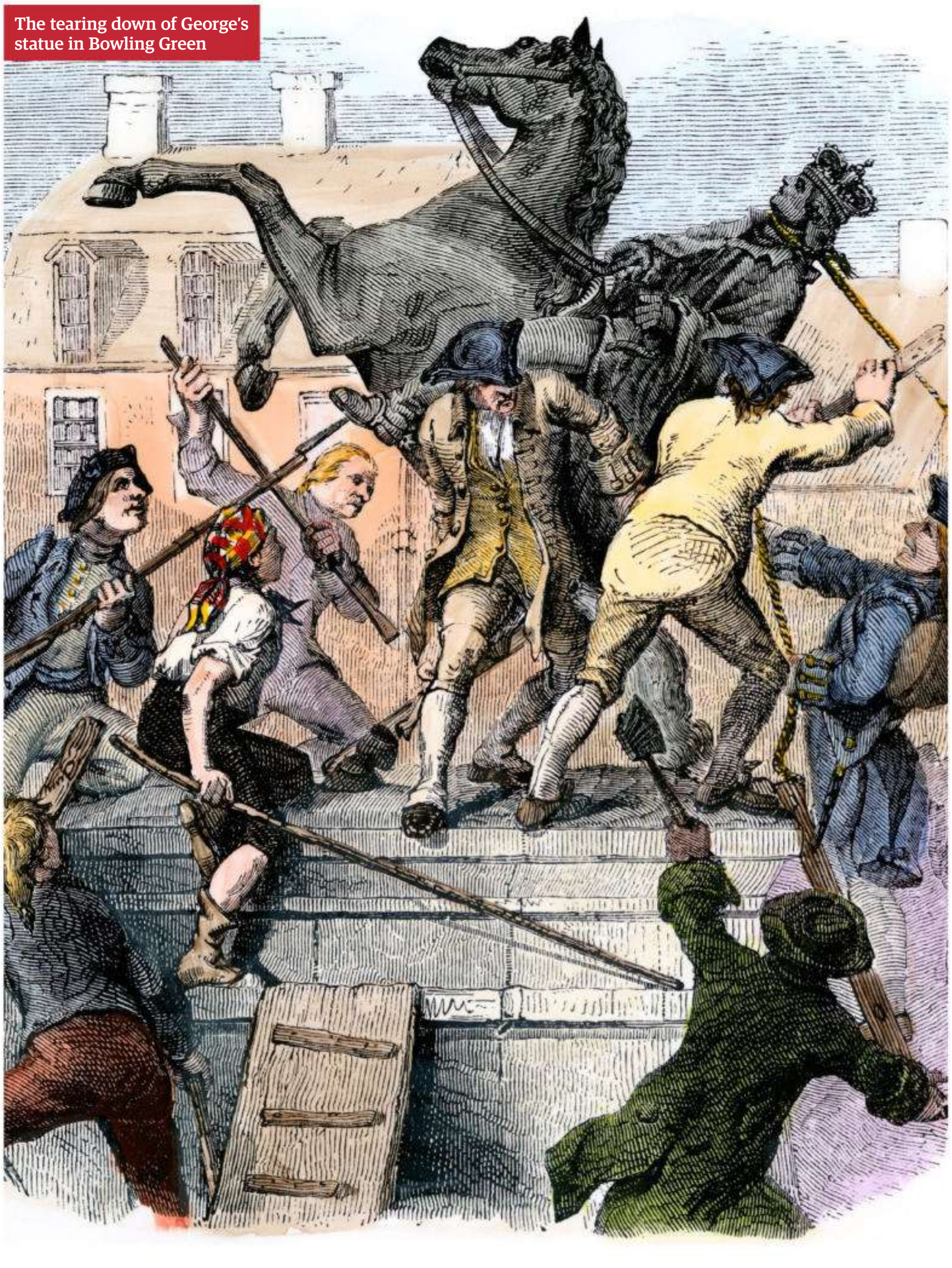
definition, a tyrant is cruel and oppressive, who governs with an authoritarian regime – a statement that does not apply to King George. In fact in many ways, George was considered to be a far more liberal ruler than some of his contemporaries, such as the Austrian despot Empress Maria Theresa.

Considering that George was a constitutional monarch, there was no way that he would have had complete control over the decisions made in regard to the colonies or indeed, his own realm. He viewed the war against the Americans as a struggle for the rights of the British Parliament, rather than as an opportunity to increase his own power – and it was Parliament that was responsible for colonial policies, not the king.

Quite often, George would defer decisions to those he felt were more qualified to make them, something he did at the beginning of the war in 1775, although he voiced his opposition when it came to the subject of concessions for the colonists. Nevertheless, he followed the movements of the war closely from the very start, drawing up long regimental lists to the point where he knew the details of the uniform for every regiment off by heart.


George III in 1771, two years before Boston

> “IN FACT IN MANY WAYS, GEORGE WAS CONSIDERED TO BE A FAR MORE LIBERAL RULER THAN SOME OF HIS CONTEMPORARIES”


The tearing down of George's statue in Bowling Green

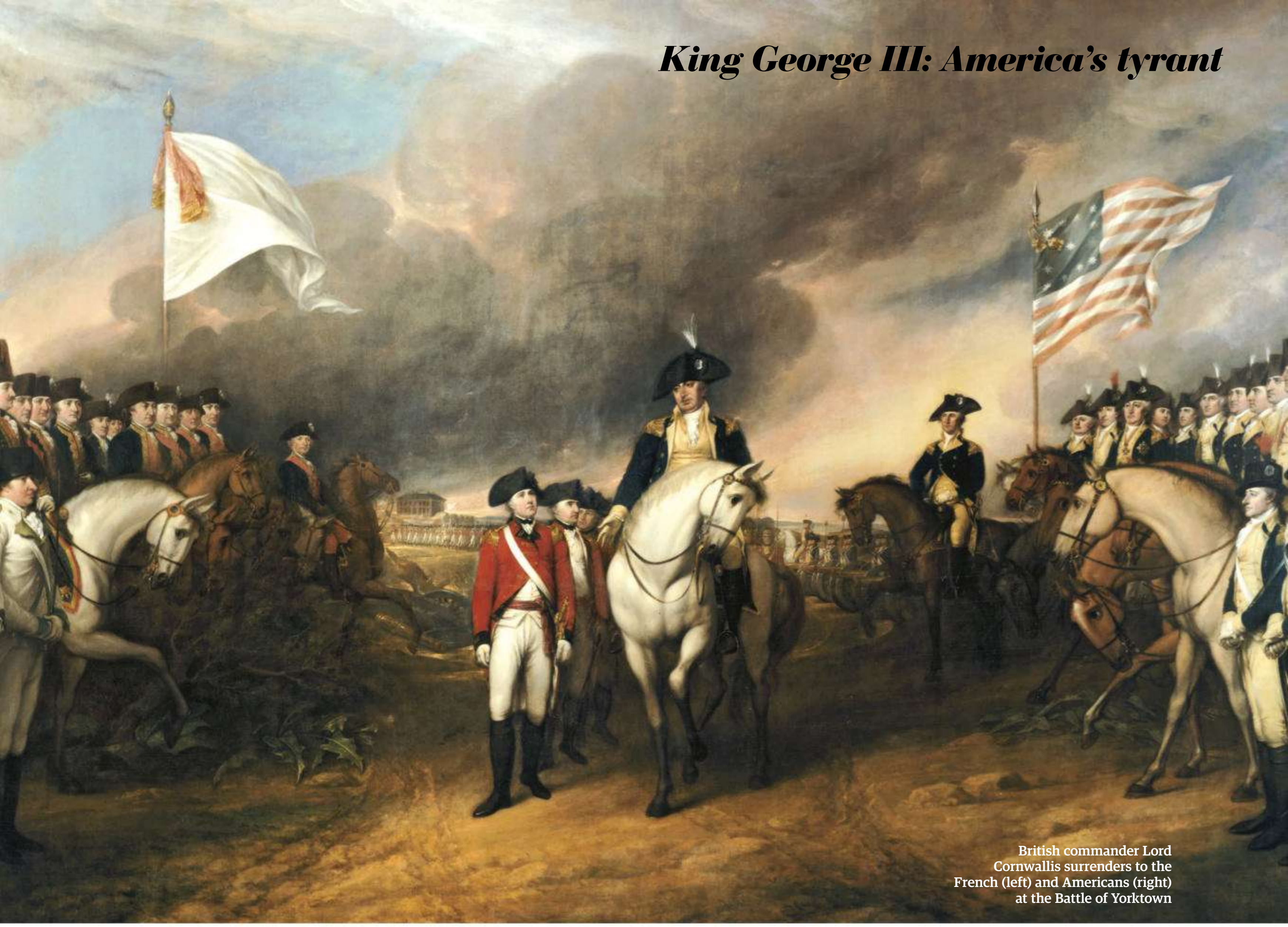
To define George as a tyrant is perhaps one step too far, but there is no denying that he played a prominent role in the continuation of the war, believing that it was the best decision for the British Empire. Known for having a stubborn streak, he refused to accept North's resignation even though the latter had realised that a victory against the colonists was impossible following the British surrender at the Battle of Saratoga in 1777.

This stubbornness continued for years as George refused to compromise over America and argued that the colonists had rebelled because the repeal of the Stamp Act back in 1766 had demonstrated weakness on Britain's part. Indeed, the claim that Britain's lenity towards America had allowed them to rebel was one that the king would repeat throughout the conflict.

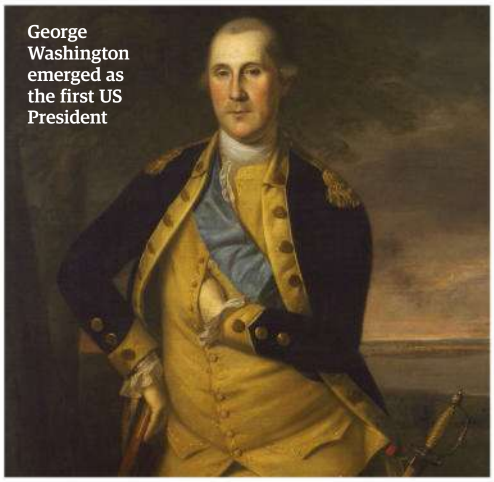
It would not be until the Battle of Yorktown in 1781, with the surrender of Lord Cornwallis and the British to George Washington and the Continental Army, that George was forced to recognise defeat, with the start of peace negotiations occurring between Britain and the colonies. In another blow to the king, North was forced from his position as Prime Minister following a vote of no confidence, and he resigned in 1782.

After the loss of the war and with Britain in the midst of a political crisis, George wrote a draft letter of abdication in March 1783. In it, the king states his intention to exile himself to Hanover after renouncing the throne and he takes his wording seriously, as the letter is covered in several corrections and redrafts.

George could be obstinate but he was also a good-natured and cultured monarch, unlike his great-grandfather and grandfather, who took his duties as king very seriously. In a letter written



British commander Lord Cornwallis surrenders to the French (left) and Americans (right) at the Battle of Yorktown



George Washington emerged as the first US President

during the 1780s, he expressed his devastation over the outcome of the war, declaring, "America is lost! Must we fall beneath the blow?"

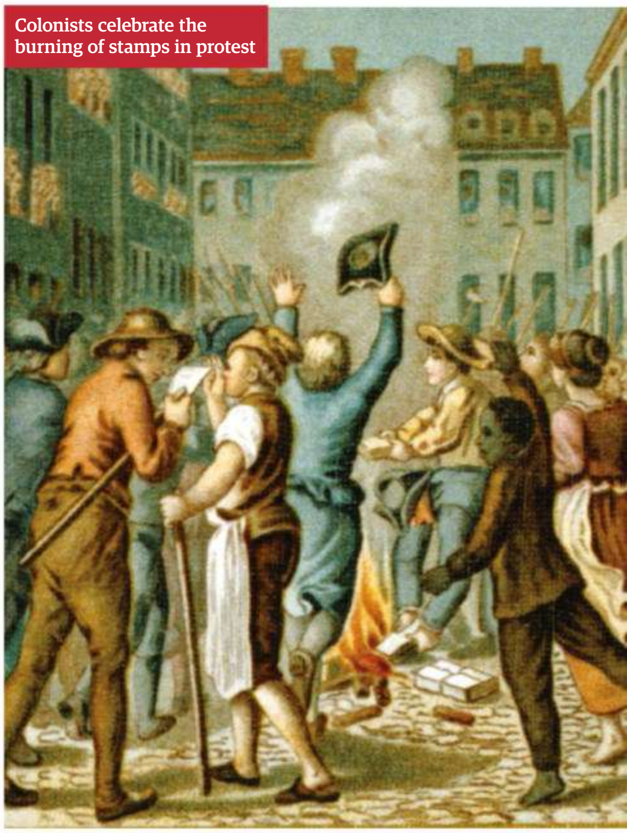
Yet just three years later, George swallowed his pride and welcomed John Adams, the first American ambassador to England – hardly the response of a tyrant.

Unfortunately the stress of the war with America, the political problems in Britain and the deaths of his two young sons, Prince Alfred and Prince Octavius, triggered bouts of mental illness in George which eventually became permanent in the last decade of his life. Consequently, he has gone down in history labelled as "the mad king who lost America", whose reign was dominated by political corruptions, poor decisions and of course, insanity.

George's illness helped to turn him into the perfect scapegoat for what had happened in America, while the British blamed him for the failure of imperialism. It wasn't until the 1960s, when it was first suggested that the king had suffered from the blood disorder porphyria, that sympathy emerged for him. His illness has continued to fascinate ever since, and it was even the subject of 1991 play (and 1994 film) by Alan Bennett, titled *The Madness of George III*.

King George's reign lasted for a remarkable 60 years but his loss of the Thirteen Colonies and his mental illness has unfairly characterised his reign as tyrannical.

It is only recently, with the release of the Georgian papers into the public domain, that we have gained a gateway into George's thoughts regarding America, a relationship that has primarily been defined by the words of the Declaration of Independence. Whether he was a tyrant or not is still debated, but George will always be remembered as America's last king.



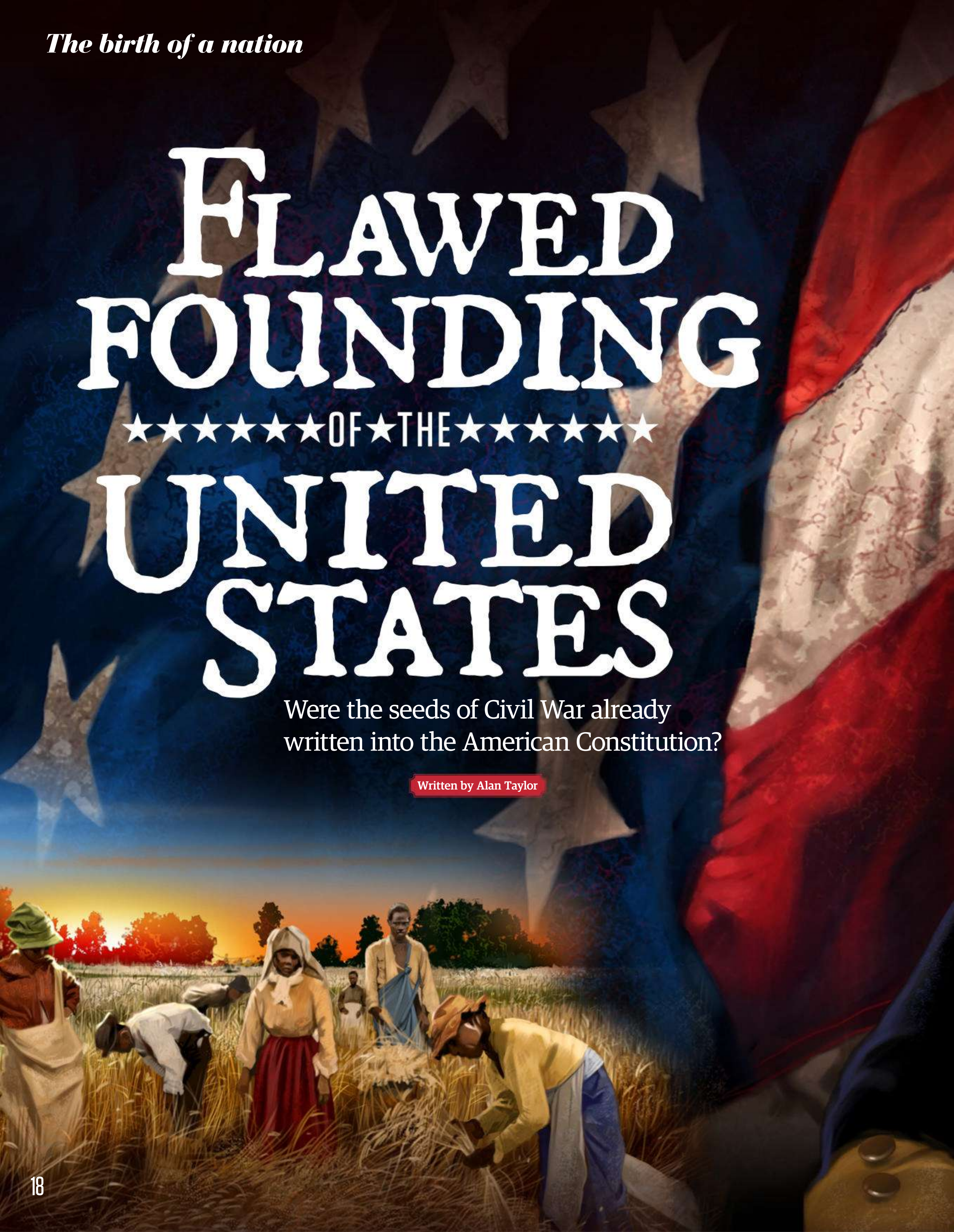
Colonists celebrate the burning of stamps in protest

© Alamy, Getty Images, Joe Cummings

FLAWED FOUNDING OF THE UNITED STATES

Were the seeds of Civil War already written into the American Constitution?

Written by Alan Taylor



Flawed founding of the United States

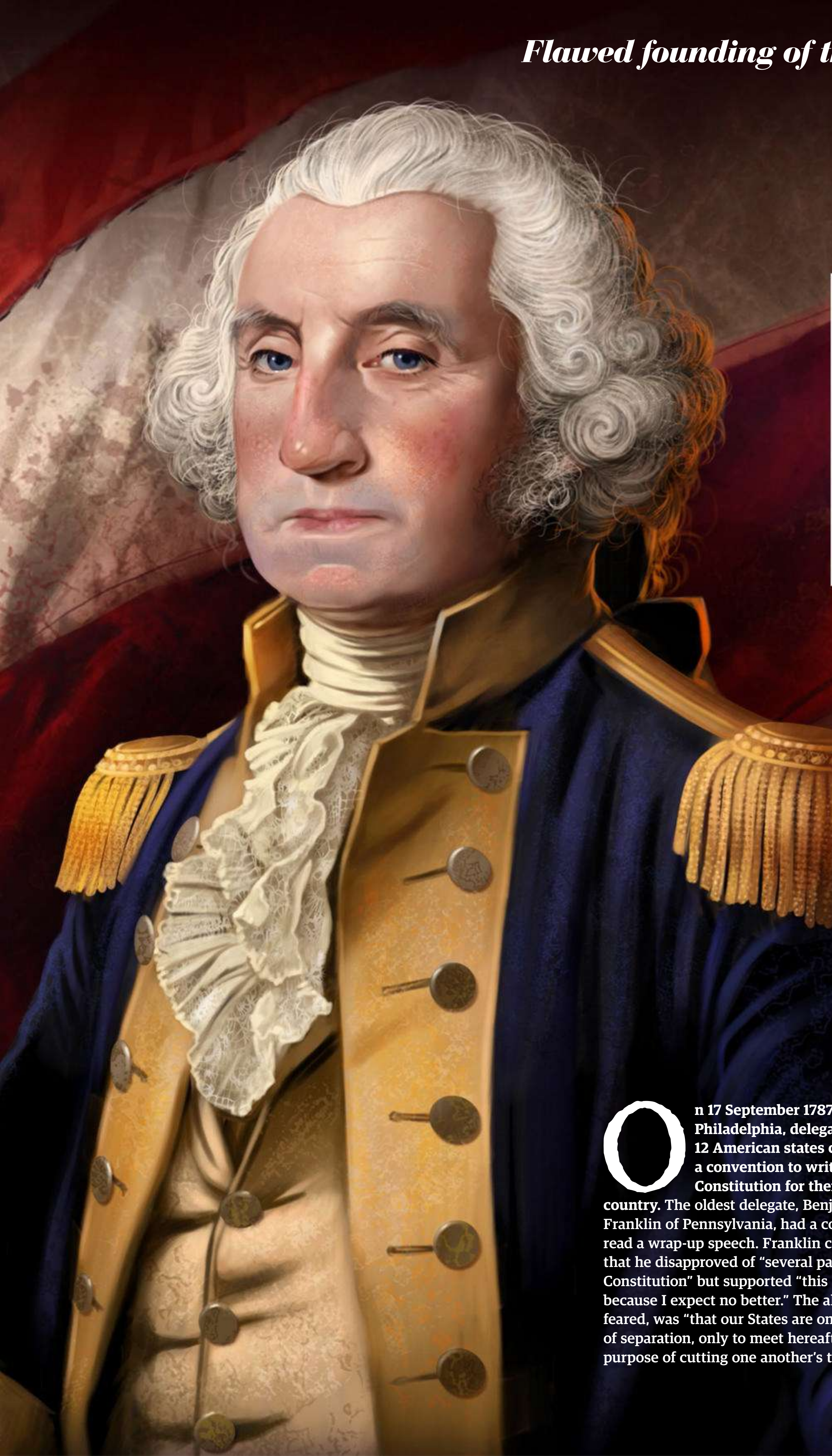


Illustration: Joe Cummings

EXPERT BIO

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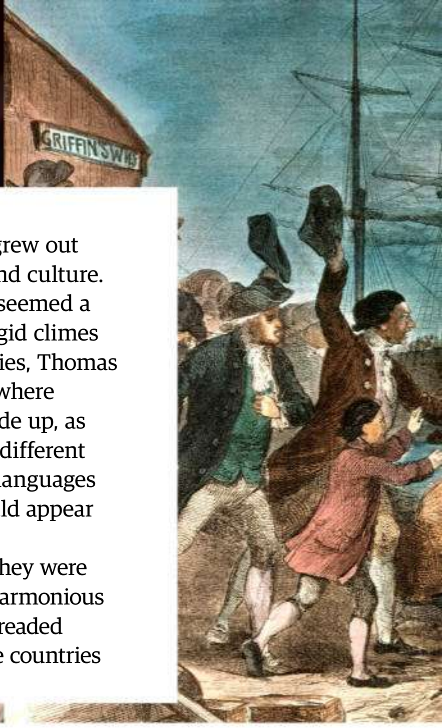
ALAN TAYLOR

Alan is a two-time Pulitzer Prize winner and Thomas Jefferson Memorial Foundation Professor of History at the University of Virginia. His books on the early history of the United States include *The Internal Enemy: Slavery and War in Virginia 1772–1832*, *American Republics: A Continental History of the United States, 1783-1850* and *American Civil Wars: A Continental History, 1850-1873*.

On 17 September 1787 in Philadelphia, delegates from 12 American states concluded a convention to write a Constitution for their embattled country. The oldest delegate, Benjamin Franklin of Pennsylvania, had a colleague read a wrap-up speech. Franklin confessed that he disapproved of "several parts of this Constitution" but supported "this Constitution because I expect no better." The alternative, he feared, was "that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats."



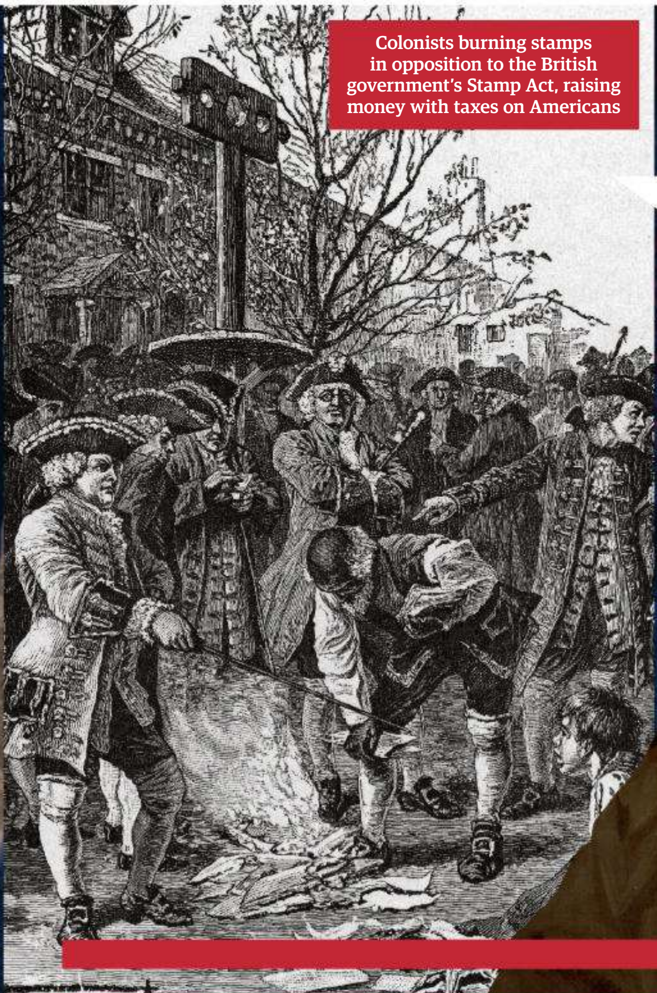
STATES

Franklin's words are shocking because they contradict the great myth of the American founding. That myth insists that a consensual set of heroic founders crafted the perfect constitution to serve a united American people. Today we hear pundits, politicians and even Supreme Court justices urging a return to that original moment of supposed political purity. Instead, we should find out why Franklin thought that Americans needed a new constitution to keep from killing one another.

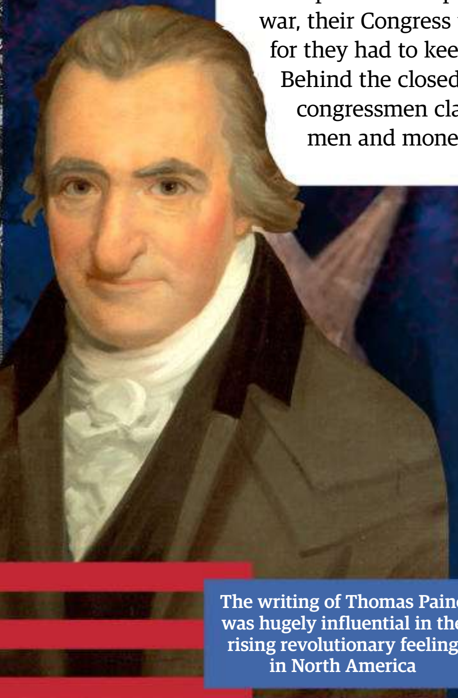
In 1787, few people thought of themselves primarily as Americans. Instead, they identified with their state and distrusted outsiders. Carolinians disliked Virginians, almost as much as New Yorkers despised New Englanders. A Massachusetts man noted: "Instead of feeling as a nation, a state is our country. We look with indifference, often with hatred, fear and aversion to the other states." Such distrust grew out of vast differences in climate, landscape, economy and culture. Subtropical, slave-holding and rice-growing Georgia seemed a world away from the rocky soil, family farms and frigid climes of New Hampshire. A British immigrant to the colonies, Thomas Paine, marvelled: "If there is a country in the world where concord… would be least expected, it is America. Made up, as it is, of people from different nations accustomed to different forms and habits of government, speaking different languages and more different in their modes of worship, it would appear that the union of such a people was impracticable."

Americans needed a union of their states because they were so different and so worried – not because they were harmonious and united. If divided into independent states, they dreaded replicating the wars that so often bloodied the diverse countries of Europe. A New York delegate, Alexander Hamilton, warned that without a new constitution, the states would become "an infinity of little, jealous, clashing, tumultuous commonwealths, the wretched nurseries of unceasing discord."

Before the American Revolution, the 13 colonies had no unity save overarching rule by the British Empire. During the early 1770s, colonists felt driven to make a common cause as the only way to resist new taxes and regulations imposed by Parliament and the Crown. When imperial leaders refused to compromise, the colonists had to unite to fight for independence from the most powerful empire in the transatlantic world. During the war, their Congress usually met in Philadelphia and in secret, for they had to keep up appearances of a common front. Behind the closed doors, distrust and resentment ripened as congressmen clashed over distributing the heavy costs in men and money of a long, hard war. Two years into that



Colonists burning stamps in opposition to the British government's Stamp Act, raising money with taxes on Americans



The writing of Thomas Paine was hugely influential in the rising revolutionary feeling in North America

> "THEY DREADED REPLICATING THE WARS THAT SO OFTEN BLOODIED THE DIVERSE COUNTRIES OF EUROPE"

TIMELINE OF INDEPENDENCE

Key events towards the constitution

MARCH 1765

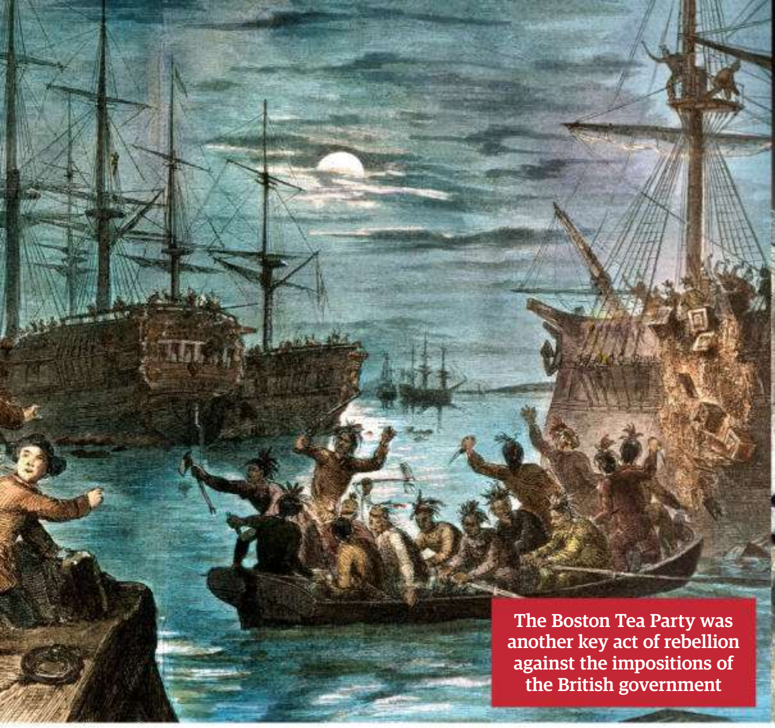
British Parliament passes the Stamp Act, the latest in a series of taxes intended to recoup money lost to war with France. The American colonies refuse to cooperate and oppose the tax.

OCTOBER 1768

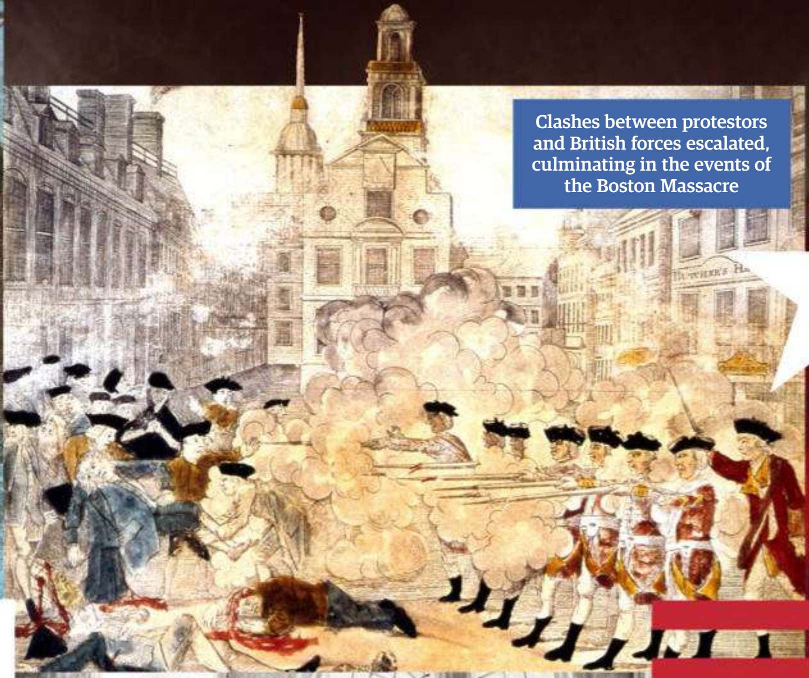
British troops arrive in Boston to impose the Townshend Acts, intended to force colonists to pay new taxes on paint, paper, tea and other commodities.

MARCH 1770

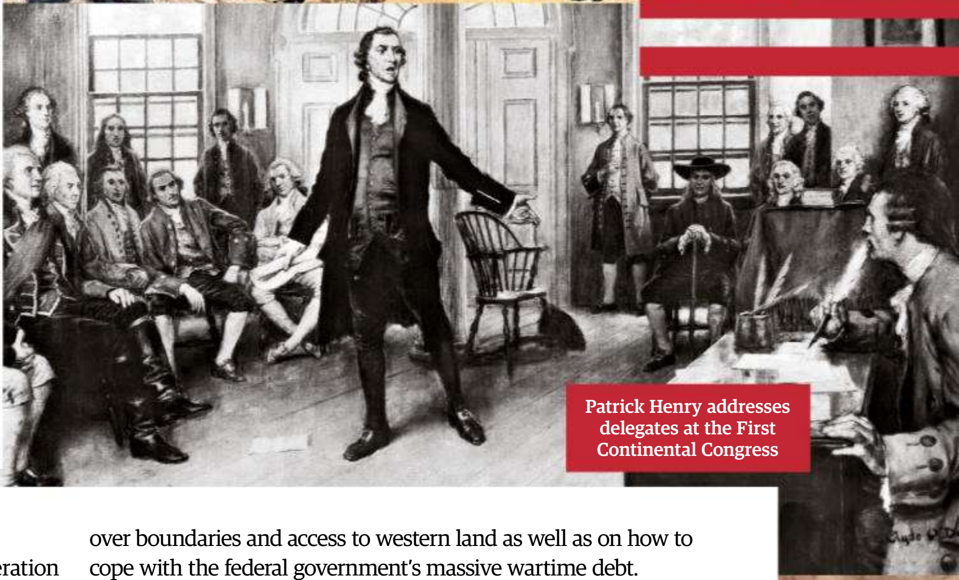
Clashes between American colonists and British troops ramp up to an incident in Boston where troops open fire on a crowd of protestors. It becomes known as the Boston Massacre, leaving five dead.



The Boston Tea Party was another key act of rebellion against the impositions of the British government



Clashes between protestors and British forces escalated, culminating in the events of the Boston Massacre



Patrick Henry addresses delegates at the First Continental Congress

conflict, a weary Virginia congressman privately wrote to his friend Thomas Jefferson: "Rely on it, our Confederacy is not founded on Brotherly Love."

Americans needed a confederation just strong enough to fight the British and secure a French alliance against their common enemy. But they baulked at creating a true nation with a strong, central government. Having denounced Britain's centralising power as tyrannical, few Americans trusted any consolidated nation of their own. They expected that a dictator or cabal of insiders would seize control of a centralised nation and misuse that power to dissolve the states and exploit the people. The smaller states – New Jersey, Delaware, Rhode Island and New Hampshire – especially feared domination by the larger ones, including Massachusetts, New York and Virginia, in a stronger nation. While the pressures of war pushed states together, the dread of central power kept pulling them apart.

After declaring independence in July 1776, Congress took another 16 months to frame the tentative Articles of Confederation and Perpetual Union. Finally ratified in 1781, the Articles of Confederation kept Congress too weak to interfere in the domestic policies of the member states. Congress could exercise only a few, limited powers: to wage war, conduct diplomacy, deal with Native peoples and arbitrate disputes between the member states. To satisfy small states, each delegation in Congress cast a single vote, so little Rhode Island had as much weight as vast Virginia. On the major issues of war and peace, only a super-majority of nine states (out of 13) could commit the confederacy. Unable to levy taxes, Congress relied on payments from state governments.

In 1783, Britain accepted defeat, ending the war by recognising American independence. But that apparent victory led to greater American disunity because fighting the British had been the one great bond between the states. During the 1780s, states squabbled over boundaries and access to western land as well as on how to cope with the federal government's massive wartime debt.

The long war had devastated the economy and inflicted widespread misery as rival armies looted and burned farms, plantations and towns, making thousands of refugees. Political leaders had hoped that independence and peace would restore and enhance prosperity through free trade with the entire world. Instead, Americans suffered from postwar trade restrictions inflicted by the French, Spanish and British empires – each jealously guarding its markets from outsiders. During the mid-1780s, a trade deficit and depression depleted the American money supply, deprived artisans of work and farmers of markets, and soured relations between debtors and creditors.

In Massachusetts, indebted farmers blocked lawsuits and foreclosures by taking up arms to shut down their courts. That state crushed the rioters in late 1786 and early 1787, but leaders in other

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March 1773

The Tea Act is passed, granting the British East India Company a monopoly on tea sales in the colonies. The tax on tea is also held in place.

December 1773

A protest of the Tea Act and tax is organised by the Sons of Liberty in Boston Harbor: 342 chests of tea are tipped overboard from ships waiting to unload. The event becomes known as the Boston Tea Party.

June 1774

The Boston harbour is closed in retaliation for the Boston Tea Party and the Quartering Act requires the colonies to house British soldiers in unused buildings.

“WEAK, DIFFUSE AND BANKRUPT, THE AMERICAN CONFEDERACY BECAME A DIPLOMATIC JOKE IN EUROPE”

states worried about similar rural uprisings by indebted people. A Pennsylvanian said: “The flames of internal insurrection were ready to burst out in every quarter… and from one end to the other of the continent; we walked in ashes concealing fire beneath our feet.”

After 1783, most states lagged in paying contributions to Congress, starving the federal government of operating funds and the money to finance the war debt. In 1784-85, the confederation government began to shut down, selling off the small navy and reducing the army to just 300 men. Many despairing congressmen stayed home, depriving Congress of the quorum needed to meet. A North Carolina delegate sadly concluded “the Confederated compact is no more than a rope of sand, and if a more efficient Government is not obtained, a dissolution of the Union must take place.”

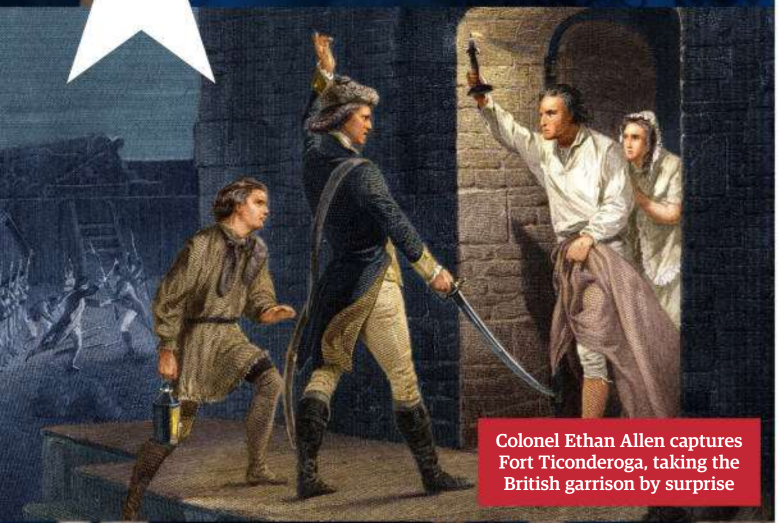
Weak, diffuse and bankrupt, the American confederacy became a diplomatic joke in Europe. Spain’s ambassador, Diego de Gardoqui, reported that America was “almost without Government, without a Treasury, or means of obtaining money, and torn between hope and fear of whether or not their Confederation can be consolidated.” Britain’s Lord Sheffield declared that the United States “should not be, for a long time, either to be feared or regarded as a nation.”

Contemptuous of American weakness, European powers could hem in the frontiers of the new country. The British clung to provocative forts around the Great Lakes while the Spanish closed their colonial port of New Orleans to American trade access via the Mississippi River. The ban was meant to throttle the new settlements in Kentucky and Tennessee, which the Spanish deemed a menace to their colony of Louisiana. The British and the Spanish also allied with and armed indigenous peoples who defied American control by attacking frontier settlements. Unable to impress Europeans or defeat ‘Indians’, the federal government appeared irrelevant to western settlers. Some flirted with seceding from the confederation to seek an association with the British or Spanish empires, as they might provide better protection and greater prosperity.

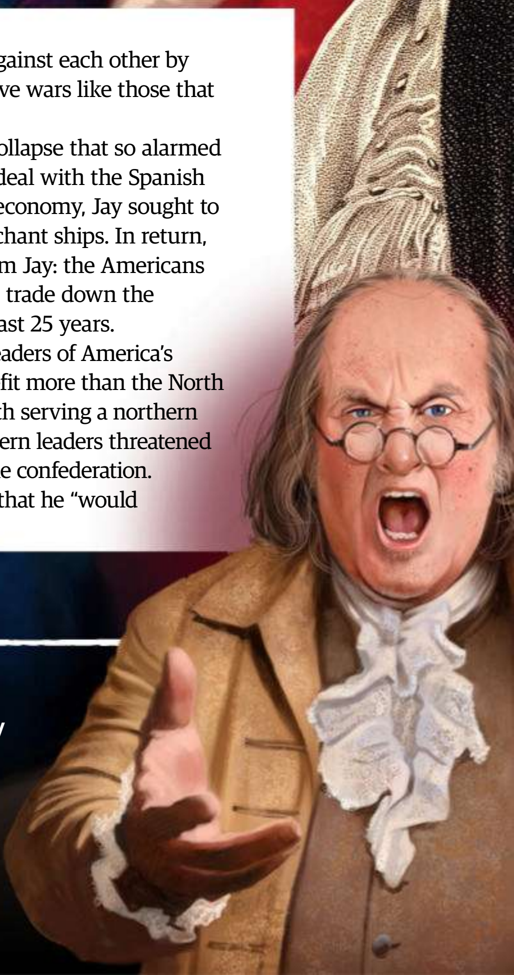
The cascading woes of the mid-1780s aroused fears that the confederation would collapse into disunion, with every state pursuing its own interests in defiance of the others. Such a collapse would invite bloody wars between jealous states jockeying for a balance of power. Such conflicts would invite manipulation, invasion and domination by foreign empires. John Jay, the American foreign minister, anticipated “every state would be a little nation, jealous of its neighbours and anxious to strengthen itself by foreign alliances against its former friends” in other states. Jay predicted that the states would partially reaggregate “into three or four independent and probably discordant republics or confederacies, one inclining to Britain, another to France and a third to Spain, and perhaps played off against each other by the three” empires in perpetual, destructive wars like those that tormented Europe.

In 1786, Jay nearly triggered the very collapse that so alarmed him by negotiating a controversial trade deal with the Spanish ambassador. To revive the United States economy, Jay sought to open Spanish markets for American merchant ships. In return, Gardoqui secured a heavy concession from Jay: the Americans would have to accept the Spanish ban on trade down the Mississippi River to New Orleans for at least 25 years.

The Jay-Gardoqui treaty outraged the leaders of America’s southern states, for they expected to benefit more than the North from western expansion. Charging Jay with serving a northern power grab meant to weaken them, southern leaders threatened to join the westerners in seceding from the confederation. Virginia’s governor, Patrick Henry, vowed that he “would



Colonel Ethan Allen captures Fort Ticonderoga, taking the British garrison by surprise

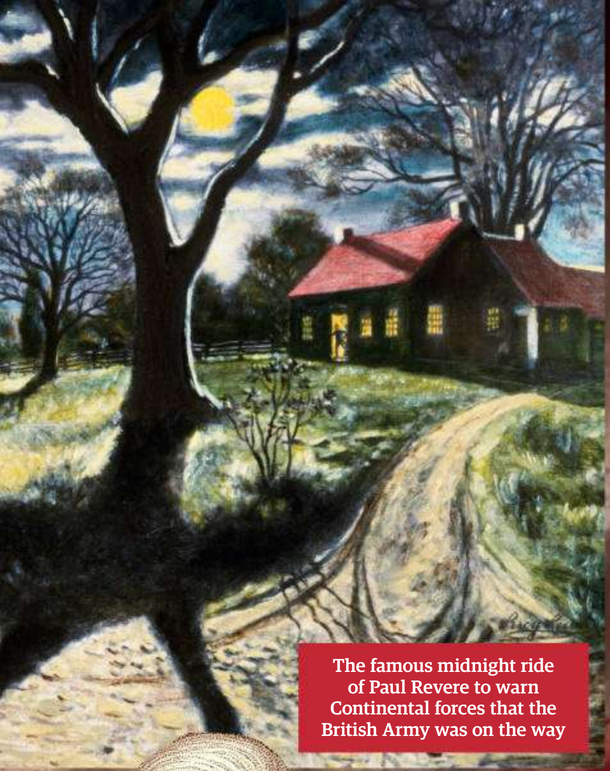


SEPTEMBER 1774

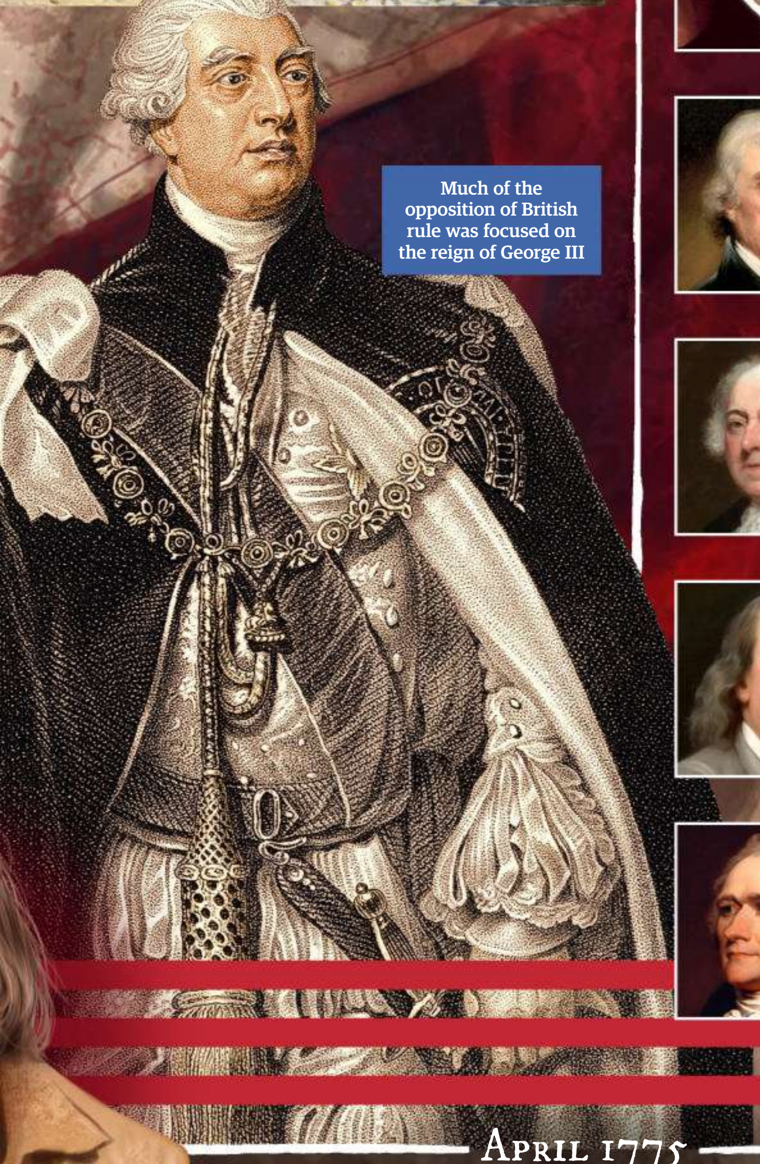
The First Continental Congress is held with representatives of the colonies (except for Georgia) attending to reject taxation without representation and other recent acts passed by parliament.

MARCH 1775

Patrick Henry, a representative at the Second Virginia Congress, gives his famous “Give me liberty or give me death” speech in front of the assembly, which becomes the cry of the revolution to come.

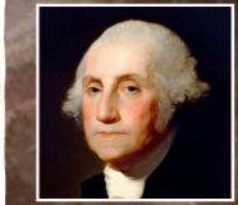


The famous midnight ride of Paul Revere to warn Continental forces that the British Army was on the way



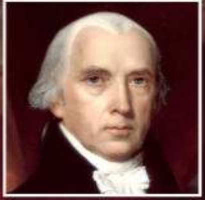
Much of the opposition of British rule was focused on the reign of George III

WHO'S WHO *Key players explained*



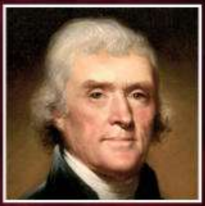
GEORGE WASHINGTON 1732-99

Before being elected unanimously to be the first president of the United States by the Electoral College in 1789, Washington was a plantation owner and general. He was commander in chief of the Continental Armies during the Revolutionary War, leading them to victory over the British. He served two terms as president (four years each) and then retired in 1797.



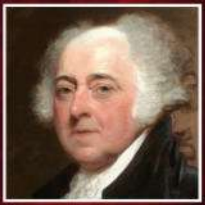
JAMES MADISON 1751 – 1836

Known as the Father of the Constitution, Madison would go on to be the fourth president of the United States. It was under his leadership that the War of 1812 began. In the early years of the new republic, he wrote the first drafts of the US Constitution, co-wrote the *Federalist Papers* and sponsored the Bill of Rights.



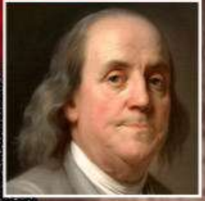
THOMAS JEFFERSON 1743 – 1826

America's third president and author of the Declaration of Independence, Jefferson also served as secretary of state and vice president. His most notable achievement in office was the massive expansion of the United States with the Louisiana Purchase, which doubled the size of the fledgling nation. He died on the 50th anniversary of this declaration aged 83.



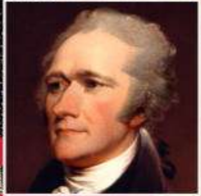
JOHN ADAMS 1735 – 1826

Adams was the first vice president and second president of the United States having helped in the drafting of the Declaration of Independence. In a 1770 trial he famously defended British soldiers who were accused of killing five colonists. After the Declaration he served on around 90 committees and was sent to negotiate the Treaty of Paris in 1779.



BENJAMIN FRANKLIN 1706-90

Another Founding Father who helped in the drafting of the Declaration of Independence and the US Constitution, Franklin is considered a polymath who could claim contributions to science, maths, philosophy, politics and industry. His inventions include bifocal glasses and the rocking chair. He died in April 1790, just a year after the inauguration of Washington.



ALEXANDER HAMILTON 1755 – 1804

Known for his authorship of the *Federalist Papers*, as first secretary of the US Treasury and as an important delegate at the Constitutional Convention, the name Hamilton has come to the forefront in recent years thanks to the hit musical about his life. He started out as an assistant to General Washington. He was killed in a duel with Aaron Burr in 1804.

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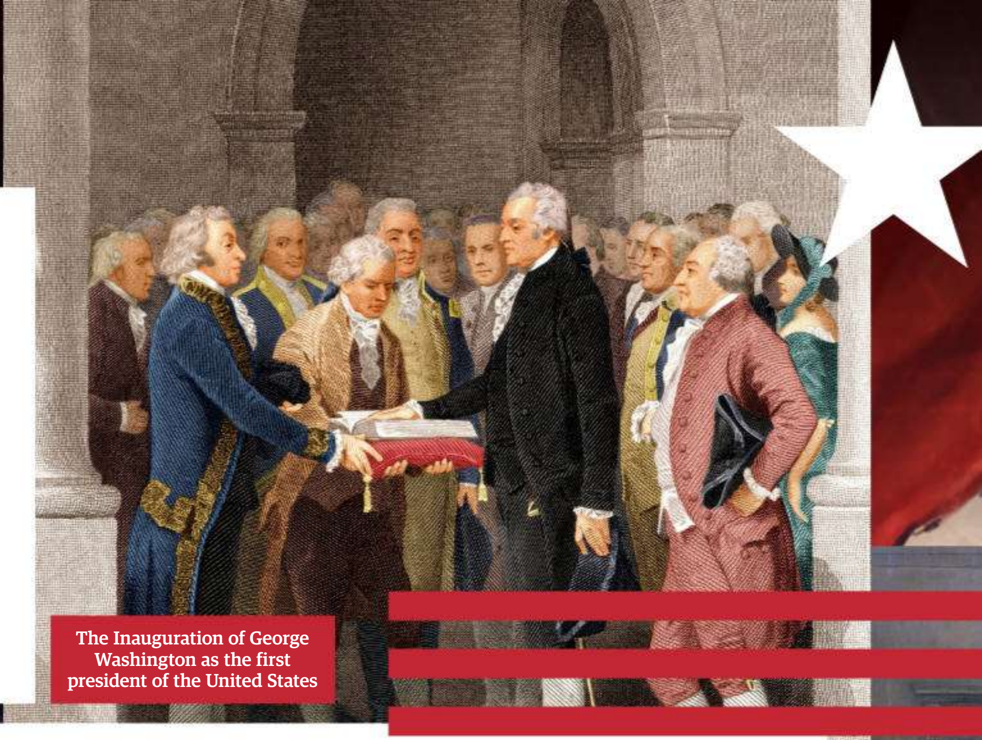
APRIL 1775

Paul Revere rides to Lexington to warn colonists that the Red Coats are on route. The first shot of the Revolutionary War is fired at Lexington and Concord in Massachusetts during an altercation between British troops and local minutemen.

JUNE 1775

George Washington is appointed as commander in chief of what will be called the Continental Army. This is followed shortly by the Battle of Bunker Hill, the first full engagement between the Americans and British.

rather part with the confederation than relinquish the navigation of the Mississippi." Another prominent Virginian, James Monroe, wanted his state to raise troops to force Pennsylvania to join the South, rather than see that state rally to the northeast. Monroe reasoned: "If a dismemberment takes place, that State must not be added to the eastern scale. It were as well to use force to prevent it as to defend ourselves afterwards." For the time being, Congress prevented civil war by failing to muster the two-thirds majority needed to approve the Jay-Gardoqui treaty. Narrowly averted, that crisis contributed to the convening of a constitutional convention a year later.


The Inauguration of George Washington as the first president of the United States

COMPROMISES

In May 1787, reformers from a dozen states (Rhode Islanders stayed away) gathered in Philadelphia to create a stronger union that could suppress disorders within states – and keep them from fighting each other. Most of the delegates were conservatives, who had lost confidence in state governments as too responsive to public opinion, as "too democratic". While rescuing the federal government from impotence and irrelevance, they would subordinate the state governments.

After long and heated debates, the delegates narrowly worked out a compromise between the small and large states. All states would have an equal vote in the Senate while the big states received more seats in the House of Representatives.

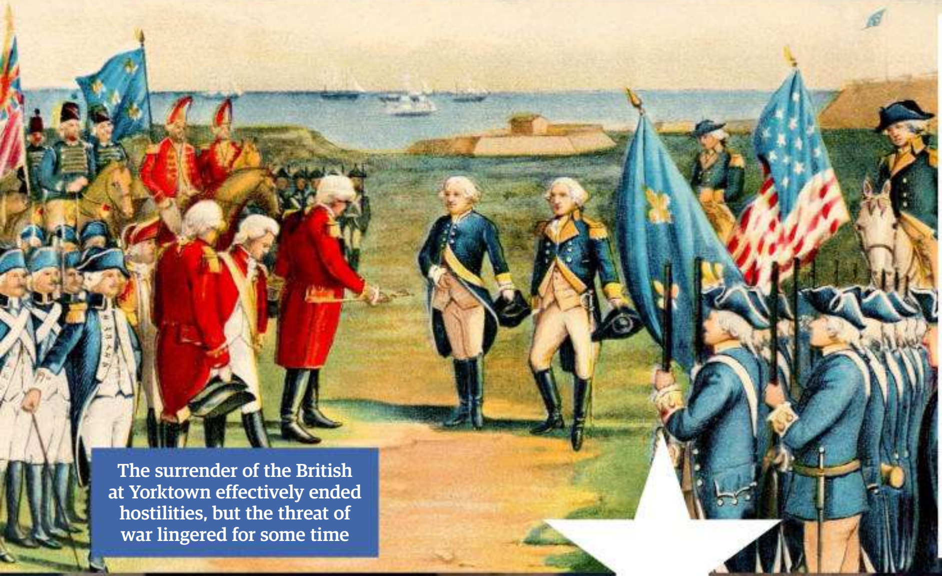
Then the delegates confronted an even more dangerous fault line between northern and southern states; slavery. Enslaved people comprised less than four percent of the northern population compared to 40 percent in the South. Determined to protect their property rights in humans, southern delegates worried about entering a more powerful Union with northerners critical of slavery. Southerners wanted a Union strong enough to defend their states against slave rebellion and invasion but too weak to tax or emancipate slaves.

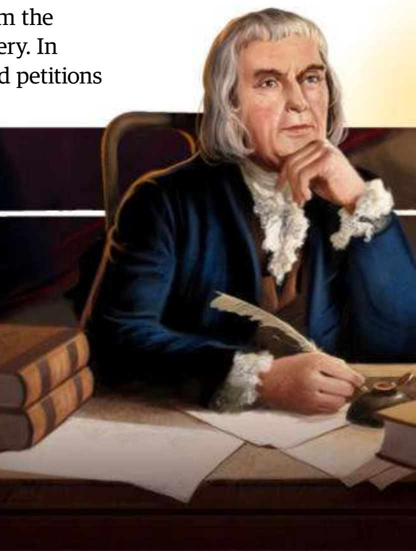
Some northern delegates outraged Southerners by arguing that only free citizens should count in allocating seats in the House of Representatives. By excluding slaves, that proposal would reduce the South's relative weight in the Union. The delegates compromised by mandating that three-fifths of the enslaved people would count in allocating congressional seats and presidential electors to the states. In a second compromise, delegates kept the import slave trade from Africa open for at least another 20 years. Third, the delegates agreed to a fugitive slave clause that required northern courts, juries and sheriffs to force interstate runaways back into bondage.

By adopting the "three-fifths clause", prolonging slave importation, and providing a fugitive slave clause, the Federal Constitution defended slavery as the price of a stronger Union. When the proposed constitution became public, a Rhode Island clergyman asked: "How does it appear in the sight of Heaven, that these states, who have been fighting for liberty... cannot agree in any political constitution unless it indulge and authorise them to enslave their fellow-men!" But he reluctantly accepted the new constitution as the only way to avert a "state of anarchy, and probably of civil war."

After the convention adjourned and published their proposed constitution, the states engaged in a long, rancorous debate over ratifying the stronger union. Completed in June 1788, ratification permitted a formation of the new government in early 1789, with George Washington serving as the first president.

Some Americans dissented from the compromises that preserved slavery. In February 1790, Franklin promoted petitions


The surrender of the British at Yorktown effectively ended hostilities, but the threat of war lingered for some time



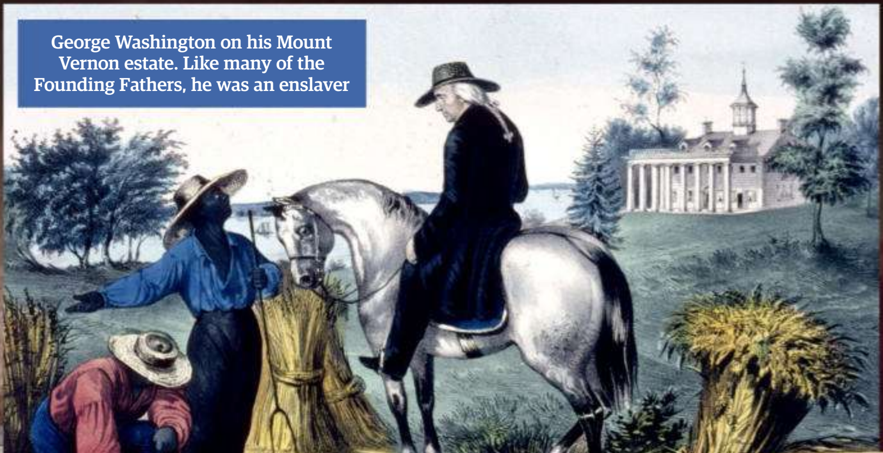
July 1775

The Olive Branch Petition and Declaration of the Causes are sent to Britain to explain the position of the Continental Congress to George III. The petition asserts that they still consider themselves British subjects.

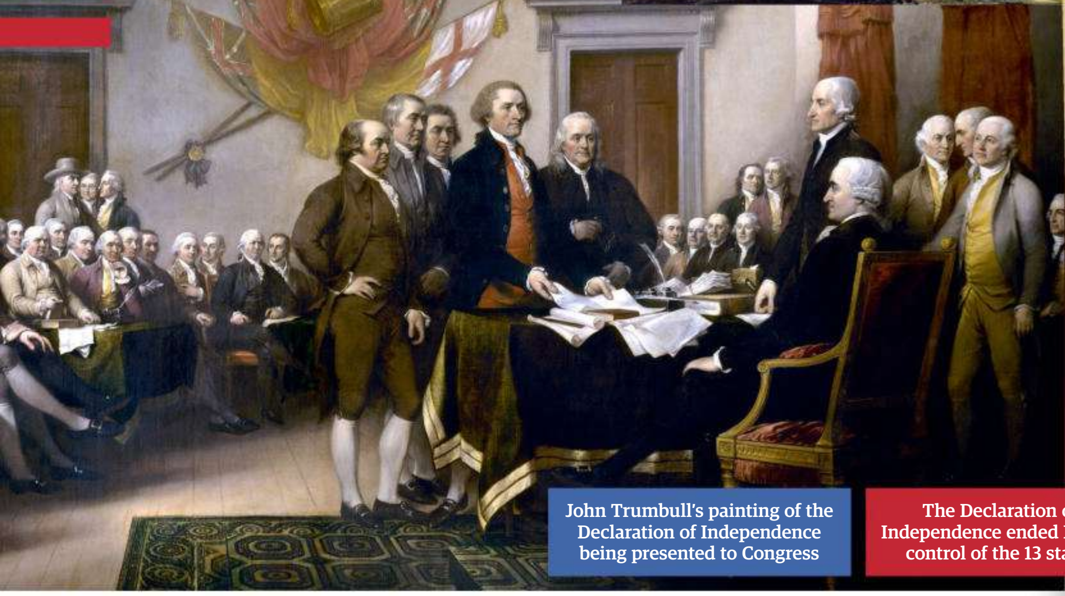
January 1776

Thomas Paine publishes his pamphlet *Common Sense*, which outlines the case in favour of independence for the United States and the tyranny of monarchy, helping to sway a lot of undecided citizens.

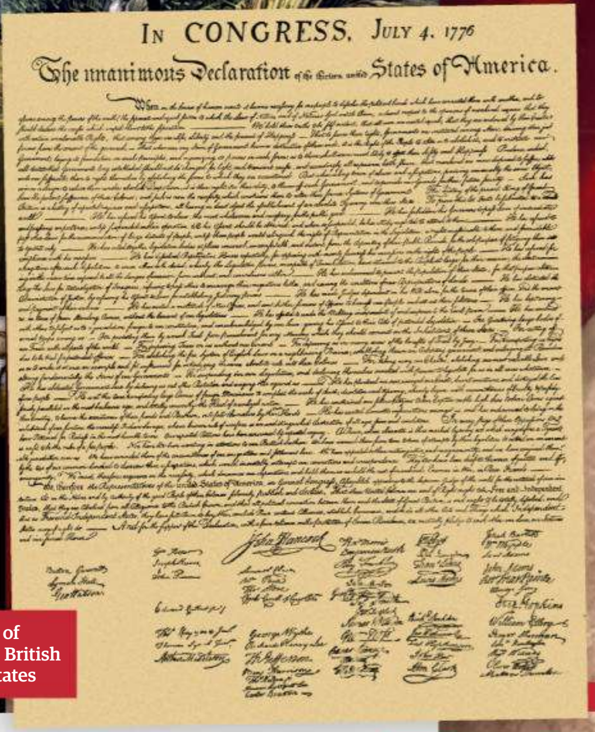
“SOME AMERICANS DISSENTED FROM THE CONSTITUTIONAL COMPROMISES THAT PRESERVED SLAVERY”



George Washington on his Mount Vernon estate. Like many of the Founding Fathers, he was an enslaver



John Trumbull’s painting of the Declaration of Independence being presented to Congress



In CONGRESS, July 4, 1776

The unanimous Declaration of the thirteen united States of America.

The Declaration of Independence ended British control of the 13 states

to Congress from Pennsylvanians seeking a plan to extend liberty “without distinction of colour, to all descriptions of people” by emancipating the enslaved. Such liberation would remove “this Inconsistency from the Character of the American People.” But northern congressmen dared not risk the fragile Union by offending Southern politicians. Almost all of them endorsed Madison’s resolution “that Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them.”

Instead of freeing slaves, Congress strengthened slavery by adopting the Fugitive Slave Act of 1793. The law denied trial by jury or the protections of habeas corpus to accused runaways. Free Blacks protested that the act exposed them to kidnapping, but the House refused to receive their petitions. Citing the opening words of the Federal Constitution, a Georgia congressman bluntly declared: “‘We the people’ does not mean them.” A maverick congressman, George Thacher of Massachusetts, protested that slavery was “a cancer of immense magnitude that would some time destroy the body politic.” But Thacher warned in vain. To retain Southern allegiance, the Federal Union had to protect slavery.

In 1800, the new nation occupied a newly made capital city named Washington, DC. Located beside the Potomac River on the margins of Virginia, the powerhouse slave state of the Union, the new city had a Southern population. A third of the new city’s people were enslaved, and they built the nation’s grand buildings including the Capitol and White House. They also did menial work in homes, hotels, restaurants, laundries, stables and brothels. Washington DC served as a key transit centre for the interstate trade that moved thousands of enslaved people from the Upper South to the booming cotton plantations of the Lower South. While boasting of their own freedom, whites watched coffles of shackled slaves pass through the streets to holding pens and auction blocks.

All images: © Getty Images

MARCH 1776

George Washington forces the British forces in Boston to retreat using the cannon captured from Fort Ticonderoga. British General William Howe evacuates his men from the city.

JULY 1776

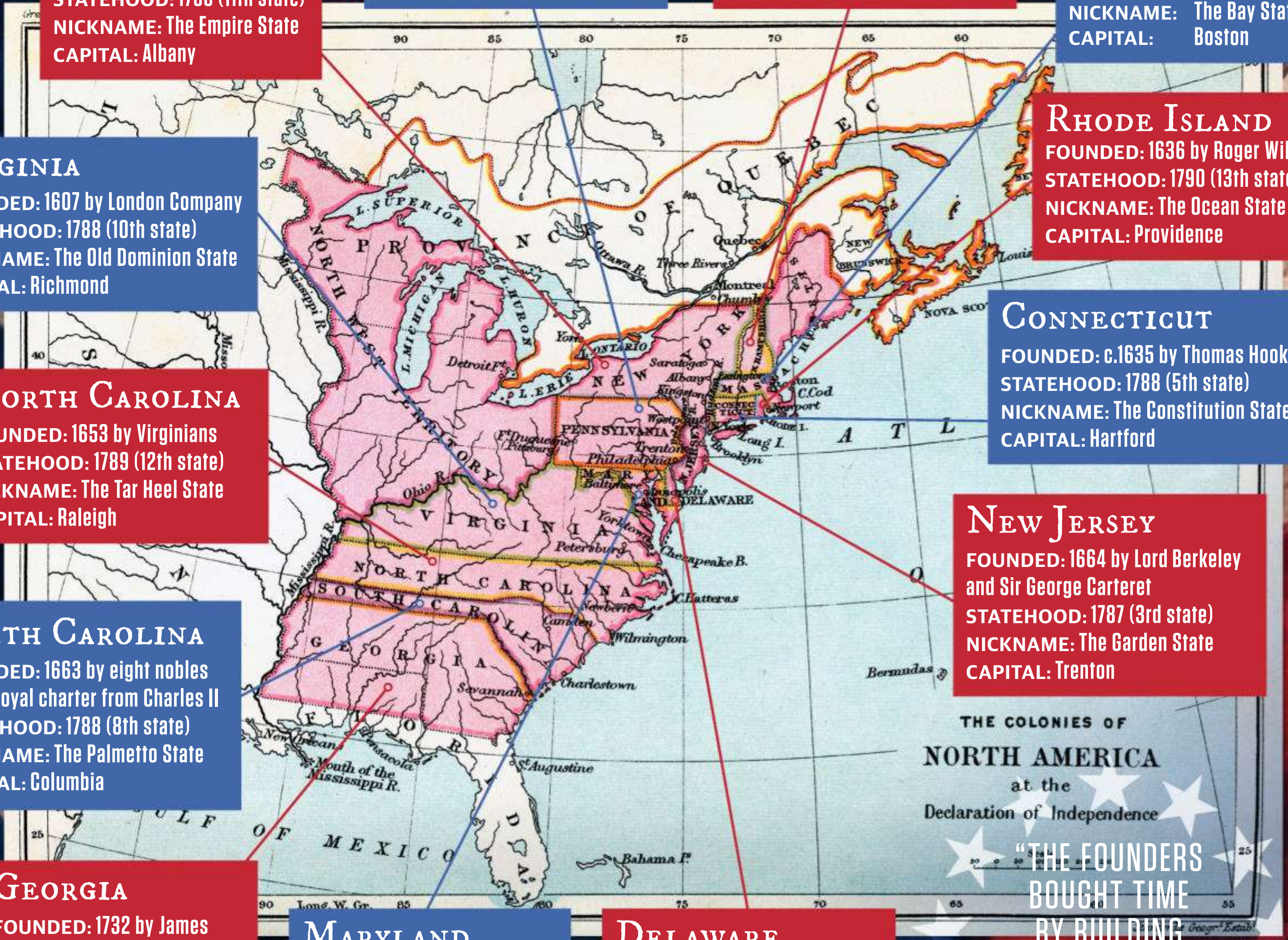
The Declaration of Independence is issued by the Second Continental Congress and is gradually signed by delegates from all 13 original colonies, ending their relationship with Britain.

DECEMBER 1776

Washington makes his famous crossing of the Delaware River to surprise the Hessians stationed at Trenton.

THE ORIGINAL 13

A quick guide to the first states of the union


THE COLONIES OF
NORTH AMERICA
at the
Declaration of Independence
PROVINCE OF QUEBEC
NORTH WEST TERRITORY
L. SUPERIOR
L. MICHIGAN
L. HURON
L. ERIE
ONTARIO
NEW YORK
PENNSYLVANIA
VIRGINIA
NORTH CAROLINA
SOUTH CAROLINA
GEORGIA
DELAWARE
NOVA SCOTIA
NEW BRUNSWICK
Quebec
Montreal
Three Rivers
Saratoga
Albany
Boston
Newport
Long I.
Brooklyn
Trenton
Philadelphia
Baltimore
Yorktown
Chesapeake B.
Petersburg
C. Hatteras
Newbern
Wilmington
Camden
Charlestown
Savannah
St. Augustine
New Orleans
Pensacola
Mouth of the Mississippi R.
Mississippi R.
Ohio R.
Bermudas
Bahama I.
GULF OF MEXICO
Long. W. Gr.
Geogr. Estab.

NEW YORK

FOUNDED: 1664 by the James, Duke of York
STATEHOOD: 1788 (11th state)
NICKNAME: The Empire State
CAPITAL: Albany

PENNSYLVANIA

FOUNDED: 1682 by William Penn
STATEHOOD: 1787 (2nd state)
NICKNAME: The Keystone State
CAPITAL: Harrisburg

NEW HAMPSHIRE

FOUNDED: 1623 by John Mason
STATEHOOD: 1788 (9th state)
NICKNAME: The Granite State
CAPITAL: Concord

MASSACHUSETTS

FOUNDED: 1620 by Puritans
STATEHOOD: 1788 (6th state)
NICKNAME: The Bay State
CAPITAL: Boston

VIRGINIA

FOUNDED: 1607 by London Company
STATEHOOD: 1788 (10th state)
NICKNAME: The Old Dominion State
CAPITAL: Richmond

RHODE ISLAND

FOUNDED: 1636 by Roger Williams
STATEHOOD: 1790 (13th state)
NICKNAME: The Ocean State
CAPITAL: Providence

NORTH CAROLINA

FOUNDED: 1653 by Virginians
STATEHOOD: 1789 (12th state)
NICKNAME: The Tar Heel State
CAPITAL: Raleigh

CONNECTICUT

FOUNDED: c.1635 by Thomas Hooker
STATEHOOD: 1788 (5th state)
NICKNAME: The Constitution State
CAPITAL: Hartford

SOUTH CAROLINA

FOUNDED: 1663 by eight nobles with a royal charter from Charles II
STATEHOOD: 1788 (8th state)
NICKNAME: The Palmetto State
CAPITAL: Columbia

NEW JERSEY

FOUNDED: 1664 by Lord Berkeley and Sir George Carteret
STATEHOOD: 1787 (3rd state)
NICKNAME: The Garden State
CAPITAL: Trenton

GEORGIA

FOUNDED: 1732 by James Edward Oglethorpe
STATEHOOD: 1788 (4th state)
NICKNAME: The Peach State
CAPITAL: Atlanta

MARYLAND

FOUNDED: 1634 by Lord Baltimore
STATEHOOD: 1788 (7th state)
NICKNAME: The Old Line State
CAPITAL: Annapolis

DELAWARE

FOUNDED: 1638 by Peter Minuit and New Sweden Company
STATEHOOD: 1787 (1st state)
NICKNAME: The First State
CAPITAL: Dover

> "THE FOUNDERS BOUGHT TIME BY BUILDING THEIR UNION ON AN UNSTABLE FOUNDATION"

OCTOBER 1777

General John Burgoyne surrenders to the Continental Army along with 6,000 troops after the Battles of Saratoga, marking a turning point in the war.

FEBRUARY 1778

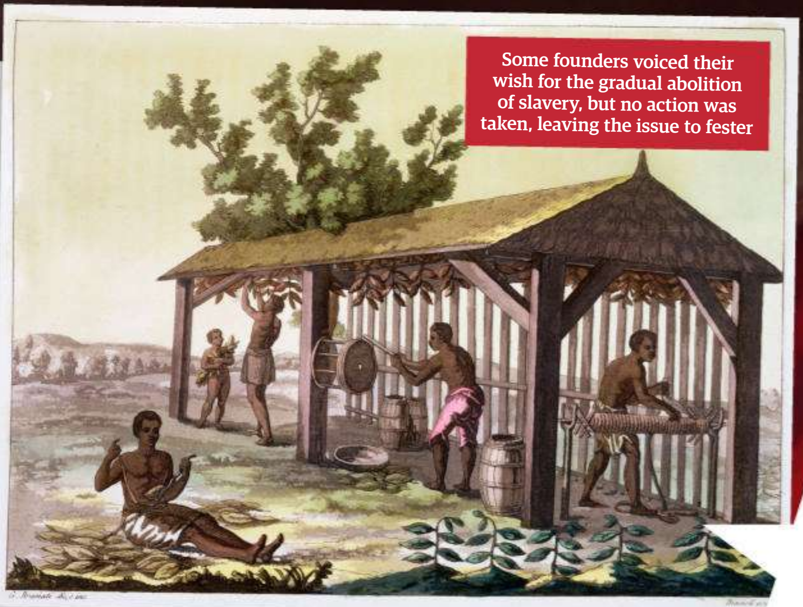
France signs a formal alliance with the Continental forces sending financial and military aid to the Americans in its war against the British.

OCTOBER 1781

The Siege of Yorktown sees a victory for the combined forces of America and France over Britain. General Charles Cornwallis surrenders, essentially bringing the war to an end, save for a formal treaty.

PRECIPICE

Despite the Federal Constitution, national unity remained tenuous because suspicions persisted between Northern and Southern congressmen over the future of slavery. Only a small minority of Northerners actually pushed for emancipation in the South. Known as abolitionists, those few struck most Northerners as noisy fanatics who threatened to disrupt a Union that depended on tolerating slavery in the South. No abolitionist, Abraham Lincoln of Illinois expressed the dominant Northern perspective during the 1840s. Although Lincoln despised slavery as immoral and unjust, he recognised that the federal government lacked the constitutional power to abolish slavery within any state: "I hold it to be a paramount duty of us in the free states, due to the Union of the states, and perhaps to liberty itself (paradox though it may seem) to let the slavery of the other states alone." He concluded: "Our duty is to wait." Of course, waiting was easier for free whites than for enslaved people. Lincoln did join other Northern congressmen in trying to block slavery from expanding west into the new federal territories taken from Mexico and the 'Indians'.


Some founders voiced their wish for the gradual abolition of slavery, but no action was taken, leaving the issue to fester

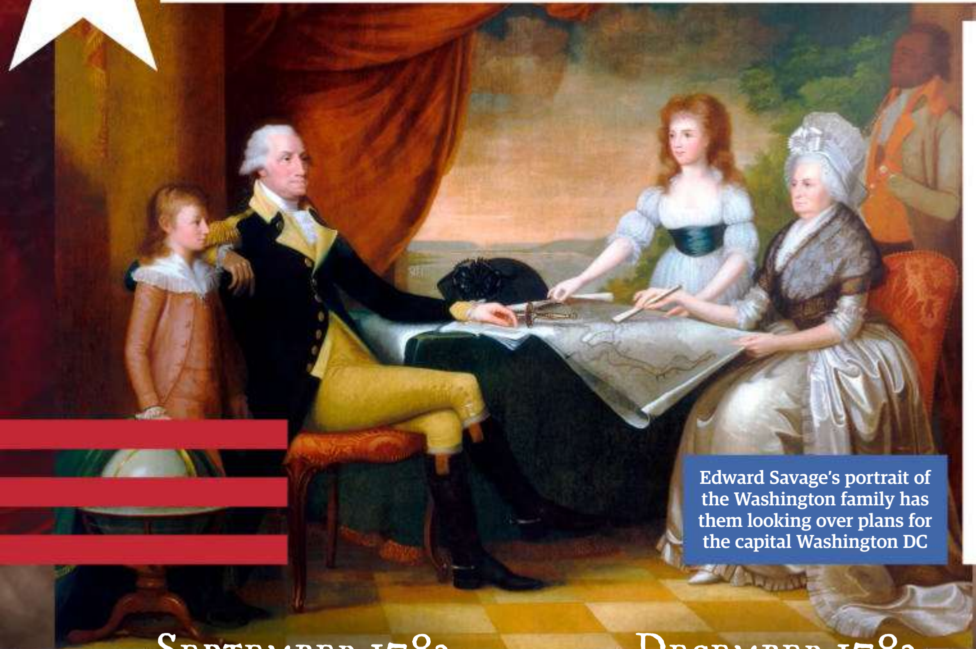
Lincoln and many other Northerners wanted their Union to become a unified nation ruled by a democratic majority. But most Southerners feared national consolidation as a tyrannical vehicle for oppressing minority regions. Advocating "states' rights", Southerners defined the Union as a loose and consensual confederation of equal, sovereign states, each retaining a right to secede. Alarmed by the growing clash over defining the Union, John Quincy Adams of Massachusetts lamented: "It is the odious nature of the question, that it can be settled only at the cannon's mouth." Here was the tragic paradox: Americans needed a Union to keep peace between their states, but by clashing over the meaning of Union, they invited a bloody conflict.

Regarding slavery as essential to their region's society and economy, Southerners insisted that the system had to expand to survive. When Northern congressmen refused to cooperate, angry Southern congressmen threatened to secede from the Union. Such secession would provoke the very civil war that the Federal Constitution had been adopted to prevent. Alarmed by the rancour and threats, Henry Clay of Kentucky warned his fellow senators to "pause at the edge of the precipice, before the fearful and dangerous leap to be taken into the yawning abyss below, from which none who ever take it shall return in safety." Because few heeded his advice, Clay concluded: "Nothing on earth is settled under this Constitution, but the principle that everything is unsettled."

Myth celebrates the Federal Constitution as the stable and enduring foundation for a perfect nation devoted to liberty. In fact, until amended during the late 1860s, that constitution was a set of moral and political compromises that promoted free government for white men while protecting slavery within the states. Those compromises did not mark the founders as more evil or hypocritical than the standard of their time – or of the following three generations. Tolerating slavery and dispossessing 'Indians' were pragmatic necessities demanded by their fundamental goal: to unify diverse states led by men who barely trusted one another.

The founders bought time by building their Union on an unstable foundation. They put off a civil war for another 74 years – weathering several bitter crises after 1819. In 1832, the elderly Chief Justice of the Supreme Court John Marshall sadly concluded: "The Union has been preserved thus far by miracles. I fear they cannot continue." They did not, for the Union ruptured in 1861, provoking a civil war that took more than 800,000 lives. In that destructive conflict, Americans confronted their greatest fear – and defied Franklin's hopes for their Federal Constitution.

All images: © Getty Images, © Alamy (map)


Edward Savage's portrait of the Washington family has them looking over plans for the capital Washington DC

September 1783

The Peace of Paris is signed by all parties, bringing the American Revolution to an end and ratifying the independence of the colonies from British rule.

December 1783

George Washington resigns his commission as commander in chief of the Continental Army, creating the precedent that the US military should be under civilian control.

May 1787

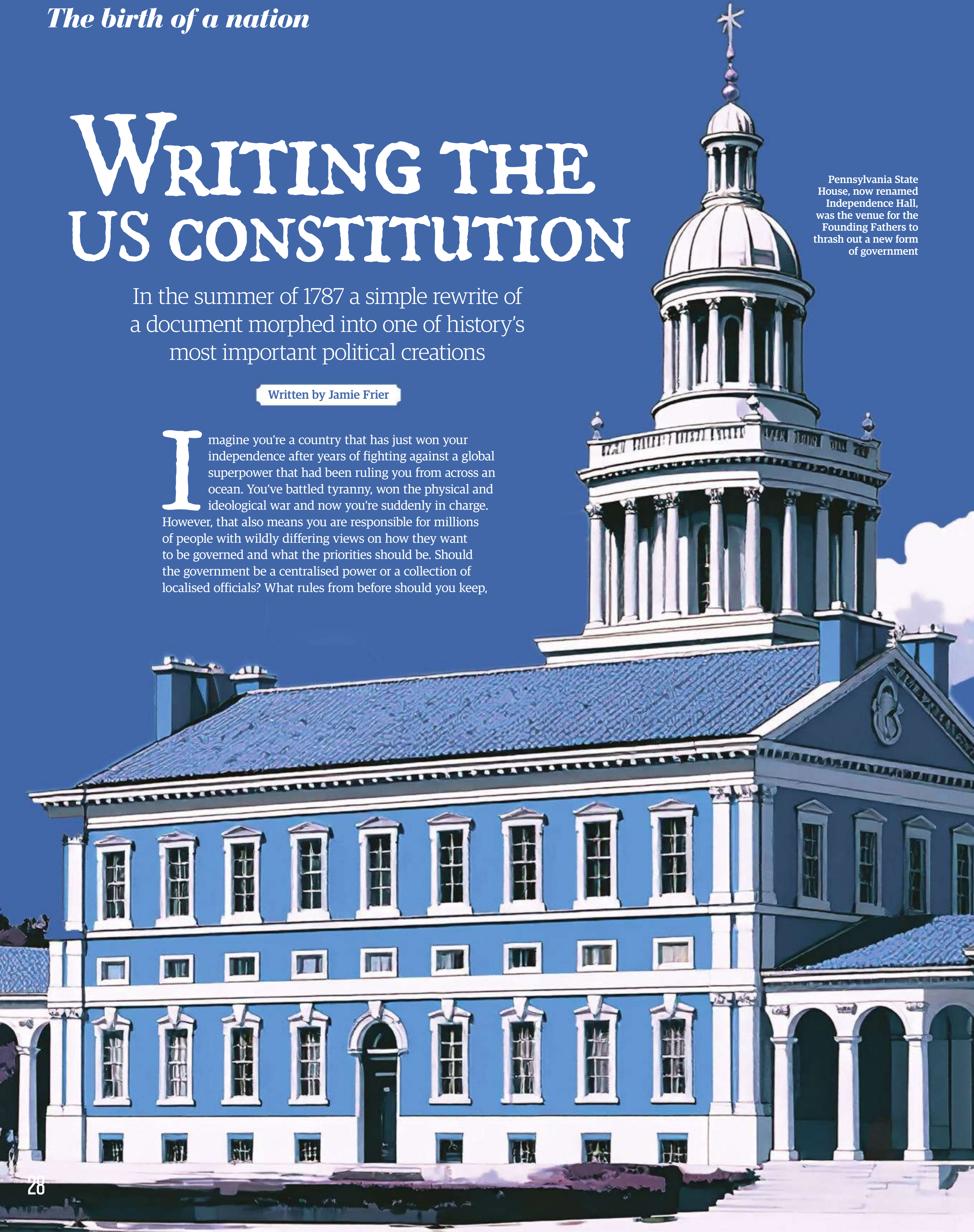
The Constitutional Convention is held in Philadelphia with the aim of amending the Articles of Confederation to turn it into a new governing document. The new Constitution of the United States is signed by 39 delegates in September.

WRITING THE US CONSTITUTION

In the summer of 1787 a simple rewrite of a document morphed into one of history's most important political creations

Written by Jamie Frier

Imagine you're a country that has just won your independence after years of fighting against a global superpower that had been ruling you from across an ocean. You've battled tyranny, won the physical and ideological war and now you're suddenly in charge. However, that also means you are responsible for millions of people with wildly differing views on how they want to be governed and what the priorities should be. Should the government be a centralised power or a collection of localised officials? What rules from before should you keep,



Pennsylvania State House, now renamed Independence Hall, was the venue for the Founding Fathers to thrash out a new form of government

“We the People” are the historically famous first words of the Constitution, representing US citizens as the primary focus

which should be thrown out and which should be brought in for the new regime? And how do you satisfy the rural farmers, the city slickers and the traditional upper classes? And who is actually going to be in charge? All of these, and more, were questions that needed to be answered by the population of the USA following victory in the American Revolutionary War – and they had to be answered urgently.

To understand why the US Constitution needed to be written, a quick history lesson is advisable. The 13 American colonies – Connecticut, Delaware, Georgia, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina and Virginia – were becoming increasingly irritated by their British rulers, with taxation among the major issues. This led to the American Revolutionary War, led by George Washington. On 4 July 1776, the colonies formally declared independence from Great Britain, but that was far from the end of the story as Britain, unsurprisingly, wasn't keen to recognise America as an independent country. In order to unite the colonies, a document called the Articles of Confederation was written, creating a loose government that would enable a more joined-up approach to war, while permitting individual states to still retain their powers. Disputes around voting, representation and land claims, however, delayed its ratification until March 1781, but that became the first constitution of the new country. Britain surrendered in October 1781, bringing an end to the war, then two years later it formally recognised American independence. While that brought great joy and relief to millions of Americans, for those in charge it was the beginning of a logistical and political headache.

The Articles of Confederation were swiftly recognised as insufficient for the task of governing a new nation. They didn't allow for the government to deal with financial issues, conduct foreign relations, pass laws that certain states disagreed with or arbitrate effectively in arguments between the states – and there were a lot of arguments! It was decided that they needed an extensive rewrite to reflect the new responsibilities of Congress and it needed to happen quickly, as some feared that the United States was already on the verge of financial and social collapse. The likes of Alexander Hamilton and James Madison were instrumental in convincing people that something new was needed that would allow the fledgling Federal Government more power.

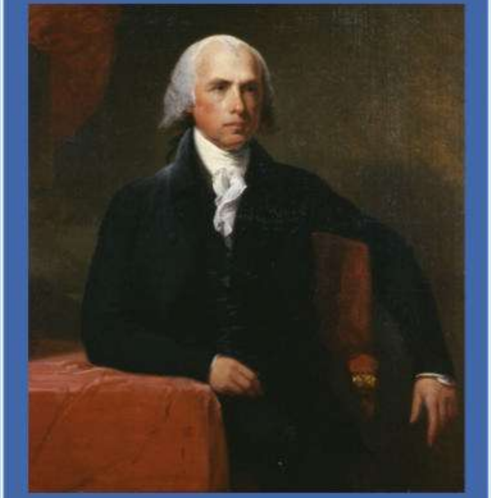
As such, in May 1787, delegates from all 13 colonies were invited to Philadelphia for a Constitutional Convention to thrash out a new deal. Seventy were invited, 55 turned up (only Rhode Island refused to send any delegates), the doors of Pennsylvania State House were locked, the windows shuttered and each was sworn to secrecy as they wrangled over the many points of discussion. With such opposing viewpoints, order was needed, so someone had to preside over proceedings. In one of the few unanimous votes, Washington, the man who had led the Continental Army to victory in the Revolutionary War, was elected as president. There were two main factions housed within those walls; pro- and anti-Federalists. The former,

THE FATHER OF THE CONSTITUTION

How one of the youngest Founding Fathers became the figurehead of democracy

With so many competing voices, opinions and agendas within the walls of Philadelphia State House, it would take someone special to rise up and become the figurehead of the Convention. That the person to do so was also among the youngest there is truly remarkable. James Madison was very much a career politician and attended many of the conventions that sprung from the Revolutionary War and subsequent independence. The 36-year-old was instrumental in arranging the Constitutional Convention and it was his Virginia Plan that formed the basis of the Constitution itself and the system of US Government that we know today. He wasn't a natural speaker, but nonetheless was the third-most regular person on the floor as he urged his fellow delegates to adopt his proposal to allow a strong three-branched government that would be kept in check by itself. He managed to be convincing enough that the document contained much of what he had originally proposed, no doubt helped by the fact he served on many committees and barely missed a session.

Such was his influence on establishing the Convention, framing the Constitution and convincing states to ratify the document, he became known as The Father of the Constitution. His hunger to support the Constitution continued as a leading figure behind the Bill of Rights, which assuaged the concerns of many delegates and citizens. He would continue to fight for it while in government, first as secretary of state under Thomas Jefferson, then as the fourth US president.

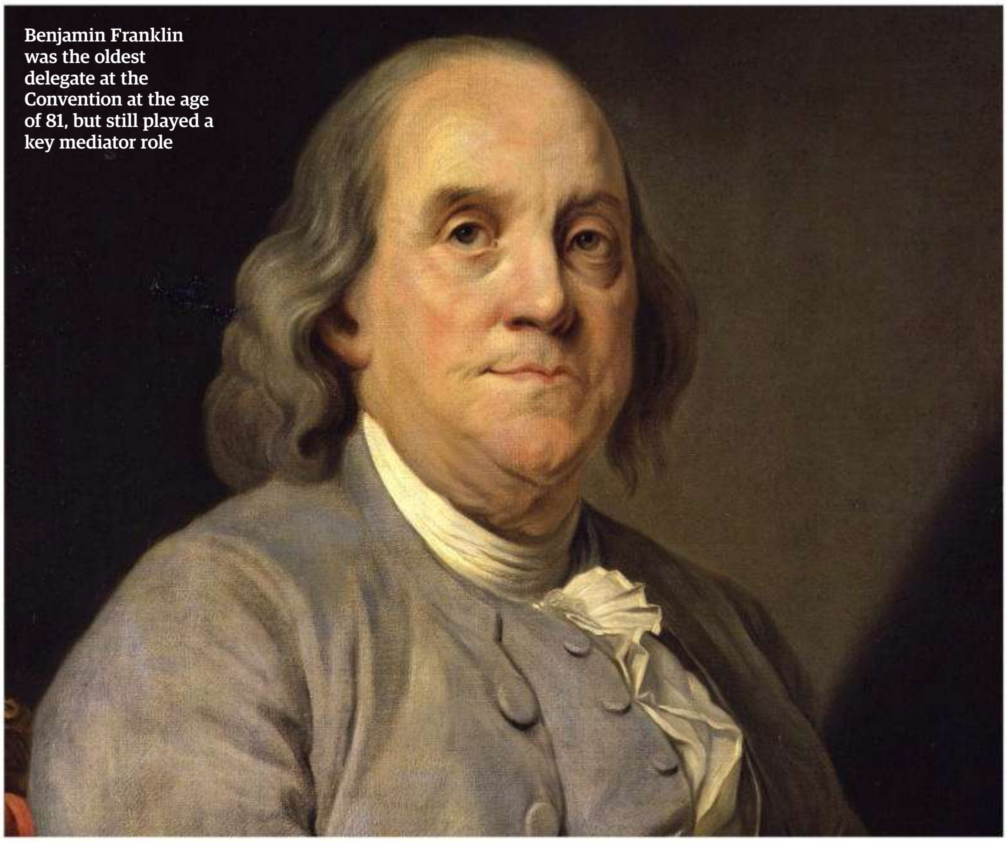


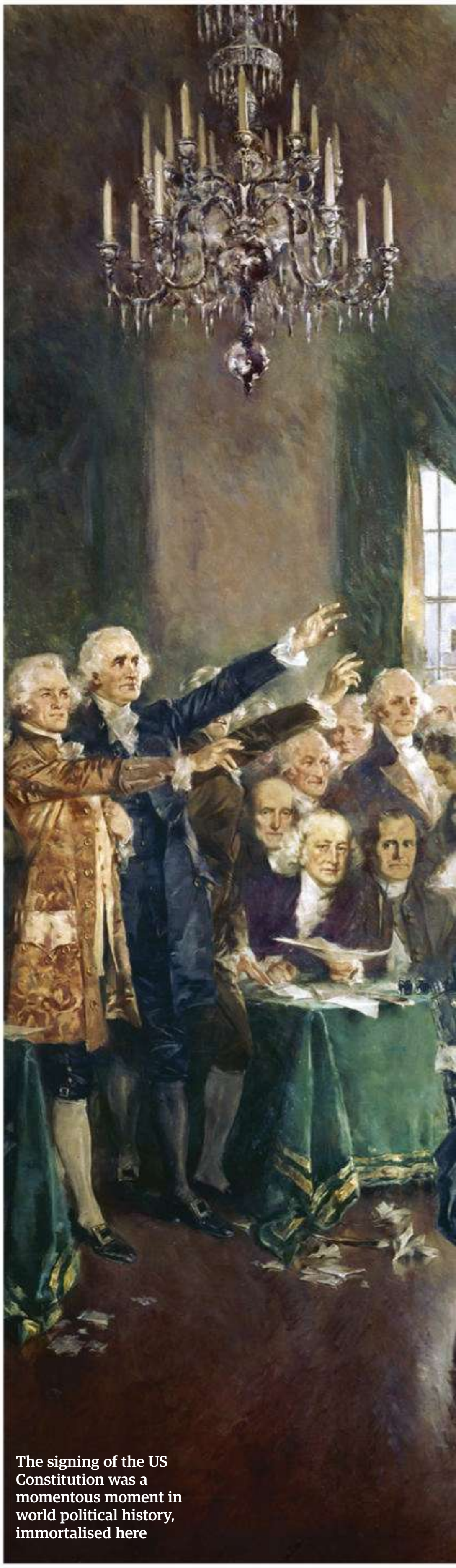
This is the face of a man who is determined to get his Constitution over the line, even if it takes him four months and over 150 speeches led by Madison, were intent on the government holding the balance of power and making key decisions for the country as a whole. The latter wanted a similar setup to the one they currently had, where states held the cards for governing themselves and didn't want to cede power to a bunch of distant bureaucrats, as it was too similar to the arrangement they had just fought a war to rid themselves from. Those from the smaller states argued fiercely for an equal vote in Congress so that they wouldn't be bullied, while the larger ones wanted representation based on population so that their people would get equal rights. The issue of slavery was a constant sticking point, as some argued to keep slaves while others wanted it banned.

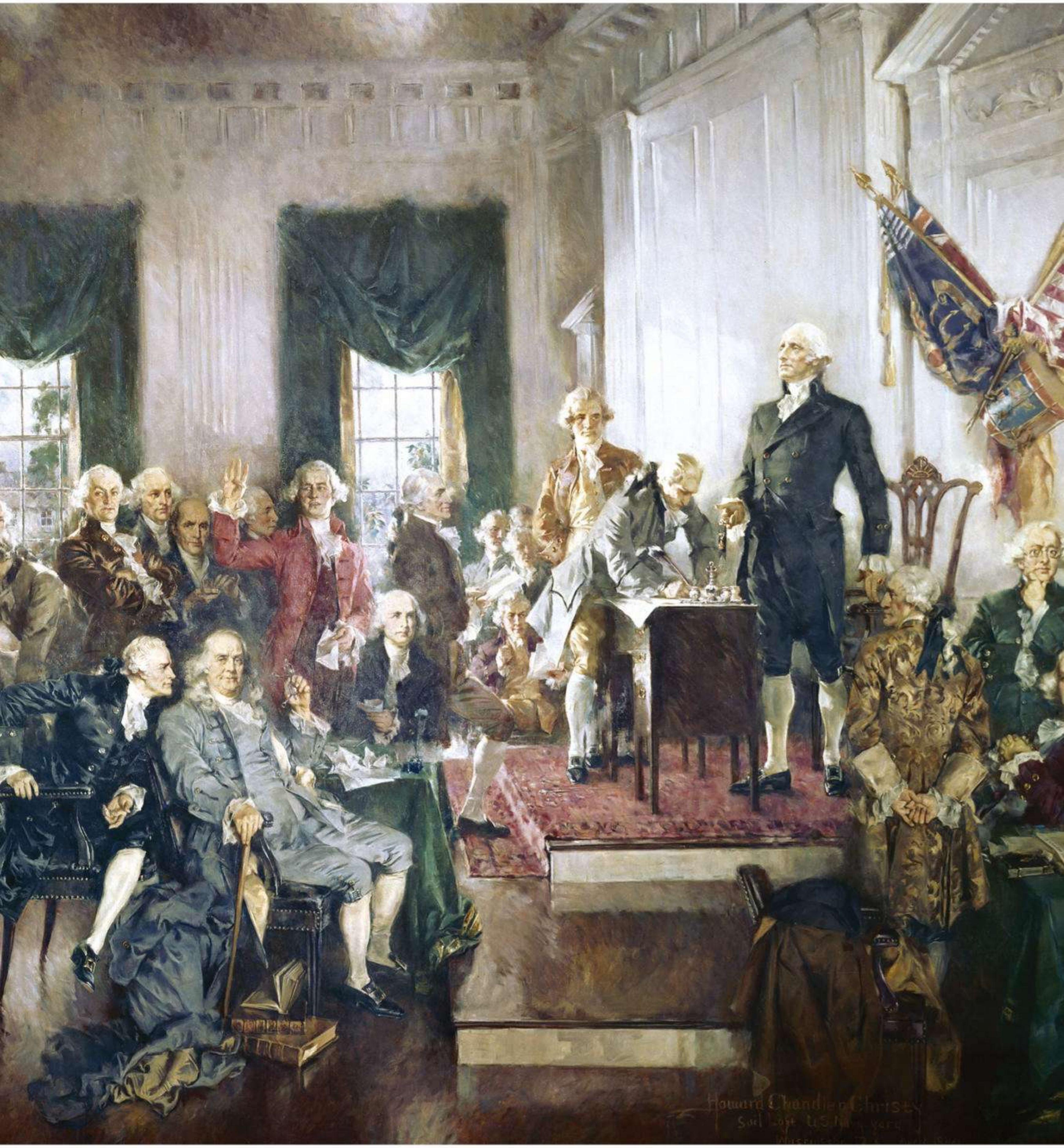
The delegates took turns to take the floor and present their views, while at times they broke off into various sub-committees to debate issues in smaller groups. Gouverneur Morris and James Wilson of Pennsylvania gave over 150 speeches each and scarcely missed a session, while others held back to watch the orators put forward their views. Washington was more in the latter camp, but would step in when required with a firm guiding hand on the tiller of debate. The delegates debated throughout a sweltering summer, before emerging on 17 September with a document that would change the course of the country, as well as the world.

It's all too common when starting a project for it to grow and spread and go off in unexpected directions so the final result is nothing like the original plans. Well that's exactly what happened in Philadelphia. Having gone in to rewrite the Articles of Confederation, they came out with a brand new US Constitution and a unique form of government that they believed best represented the American people, recognised their differences and provided the checks and balances for a new democracy. Thirty-nine of the 42 men present at the end of the Convention signed the document, with Massachusetts' Elbridge Gerry and Virginia's George Mason and Edmund Randolph (ironically given that he was among those who introduced the Virginia Plan that ultimately formed much of the framework for the Constitution) the only ones who abstained. Twenty-three articles had been condensed down to seven in the final few days of the Convention, in order that the new framework by which the country would be governed could be as simple to understand and follow as possible, and this was what was now presented to the population.

Article I covered the new Legislative Branch of government, made up of the House of Representatives and the Senate. This came about due to one of the fiercest debates – that of representation. Randolph suggested pro rata representation across two houses, while New Jersey's William Paterson recommended that each state gets the same amount of representation regardless of size. Then Connecticut's Roger Sherman offered 'The Connecticut Compromise', in which the House of Representatives would be made up of one representative per state per 30,000 citizens


Benjamin Franklin was the oldest delegate at the Convention at the age of 81, but still played a key mediator role


The signing of the US Constitution was a momentous moment in world political history, immortalised here


Howard Chandler Christy

As well as setting out governmental roles, a key focus of the Constitution was setting out a legal framework and hierarchy

(with three-fifths of a state's slave population being counted), and the Senate comprising two senators per state. This branch would set laws and deal with finances, Congress now being responsible for taxes, borrowing, commerce regulation and maintenance of the navy, among other things.

Article II focused on the Executive Branch, which is the office of the president. Ironically, Washington favoured the balance of power being weighted towards the Legislative Branch, rather than Executive, but over the negotiations, the president assumed responsibility for foreign affairs. The article also set out presidential requirements, such as being at least 35 years old and a US citizen, a term length of four years, the electoral college voting system and the process of impeachment.

Article III looked at the Judicial Branch, establishing the Supreme Court as the top court in the land, federal judges as lifetime appointees and limiting the ways in which people can be found guilty of treason.

Article IV also had a legal slant as it decreed that states will still be able to create their own laws, but must support and respect the laws of other states.

Article V referred to the amendments that the Founding Fathers suspected would have to be added to the Constitution. It was decided that, if two-thirds of both the Senate and House of Representatives voted for an amendment, it would go to the state legislatures. If three-quarters of them voted in favour, then the amendment would pass.

Article VI was somewhat an extension of Article IV, stating that federal law would supersede state and local laws, so anything passed at national level would take precedence over those passed at state level.

And then finally, Article VII set out the rule that nine of the 13 states needed to vote in favour of the Constitution for it to be ratified.

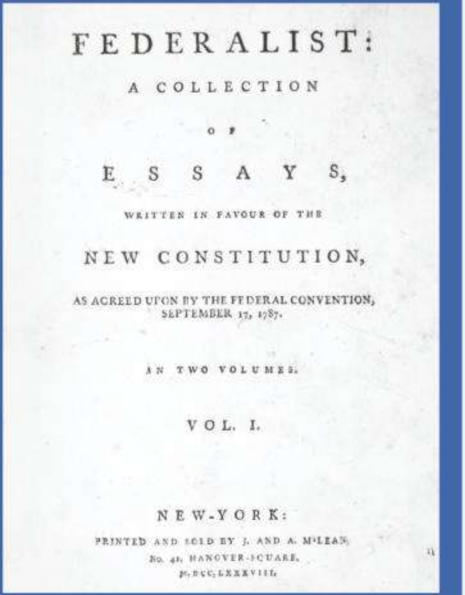
When the delegates took it back to their state legislatures, only five initially ratified it: Delaware, Pennsylvania, New Jersey, Georgia and Connecticut. The others held out against ratification as the Constitution didn't feature protection for certain freedoms, like free speech and religion. So, after a compromise was reached in which a Bill of Rights was promised, Massachusetts, Maryland and South Carolina all signed up, before New Hampshire pushed them to that magical nine-state total on 21 June 1788. The US Constitution could now become the definitive document by which the United States of America would be governed. The following year, Washington was elected president of the United States and in March, the first Congress was held under the new Constitution.

THE FEDERALIST PAPERS

Eighty-five essays that helped change the course of history

When the Constitution and new model of government was proposed, it wasn't universally beloved. Less than half of the states appeared to support it and the Constitution itself decreed that nine states needed to back it for it to become law. In order to make the populace believe that it was the right way forward, New York delegate Alexander Hamilton, a Federalist, recruited his New York contemporary, John Jay, and Virginia delegate James Madison, who had been instrumental in framing and drafting the Constitution, to write a series of essays defending and explaining the Constitution and its worth. The topics of the essays ranged from explaining why the current system was ineffective to how the Constitution would help deal with hostilities between states to how it would affect the economy. All of them were designed to promote the Constitution as the only way to ensure a safe, happy, harmonious country that could protect itself from foreign aggression.

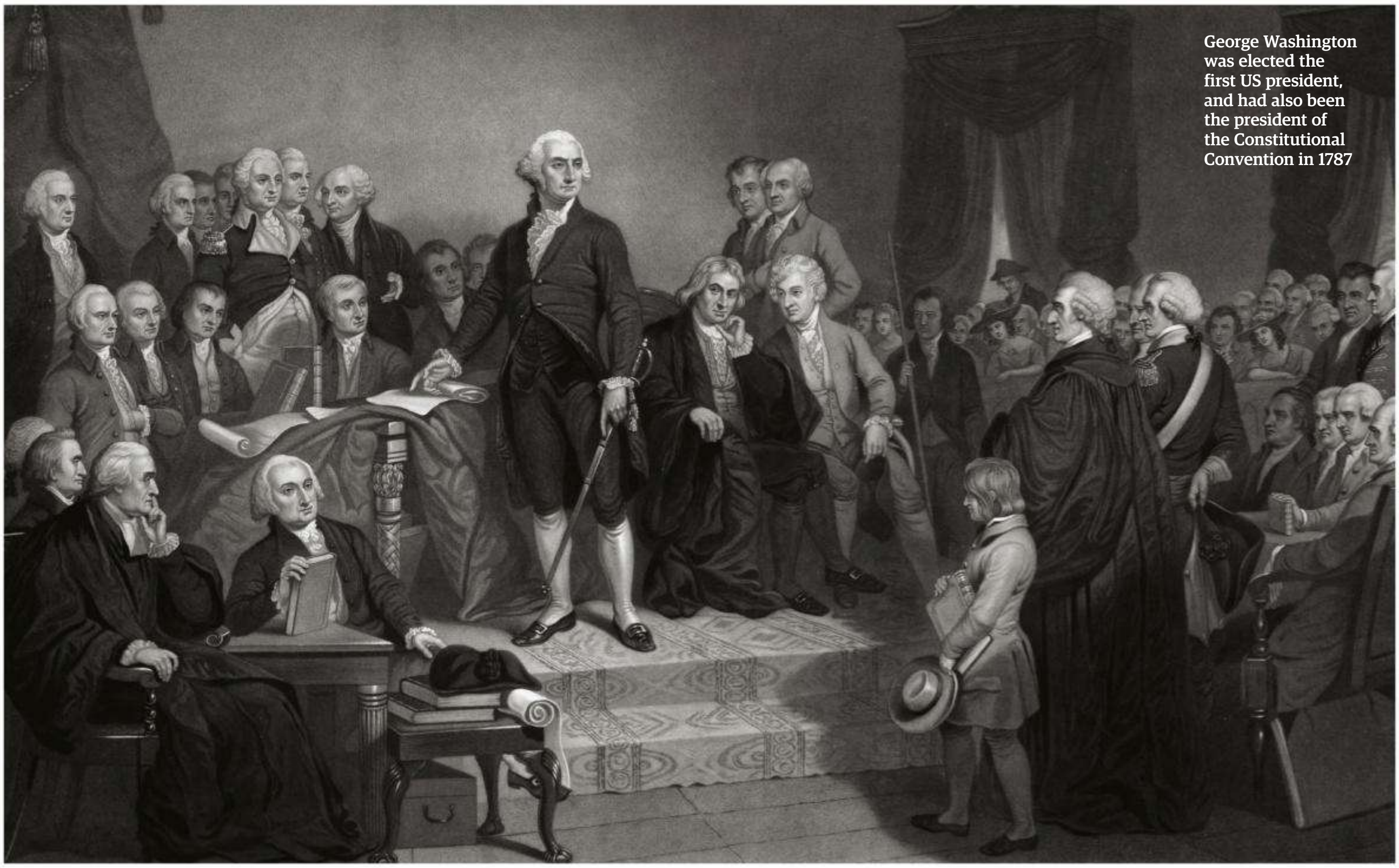
Between October 1787 and May 1788, Jay wrote five, Madison wrote 29 and Hamilton wrote an astonishing 51 (although some suggest that some of these were actually written by Madison but credited to Hamilton). These were published anonymously under the pseudonym Publius in newspapers across New York and then reprinted in publications in other states, aimed at convincing people to back the Constitution. It worked – New York voted in favour, other states fell into line and the rest, as they say, is history.



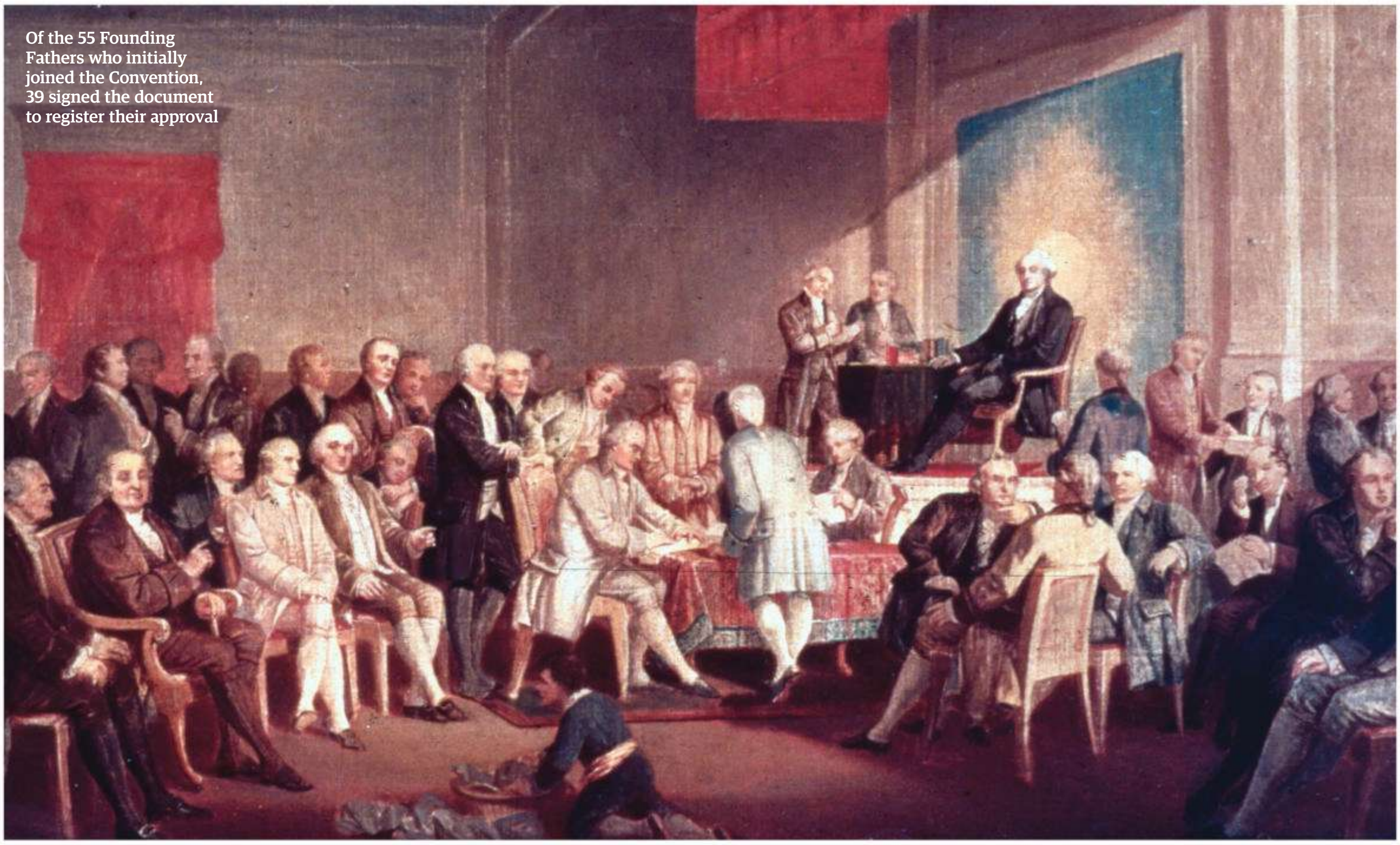
FEDERALIST:
A COLLECTION
OF
ESSAYS,
WRITTEN IN FAVOUR OF THE
NEW CONSTITUTION,
AS AGREED UPON BY THE FEDERAL CONVENTION,
SEPTEMBER 17, 1787.
IN TWO VOLUMES.
VOL. I.

NEW-YORK:
PRINTED AND SOLD BY J. AND A. M'LEAN,
No. 41, HANOVER-SQUARE,
M,DCC,LXXXVIII.

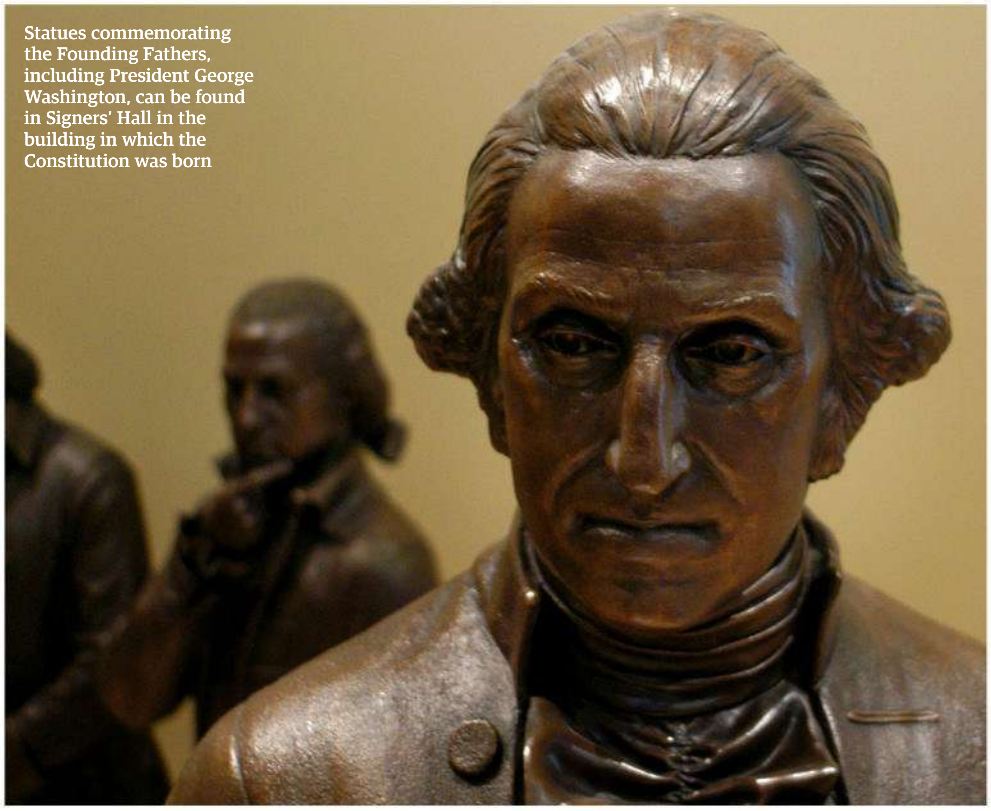
It might not be much to look at, but without these 85 essays, the US Constitution may never have been passed



George Washington was elected the first US president, and had also been the president of the Constitutional Convention in 1787



Of the 55 Founding Fathers who initially joined the Convention, 39 signed the document to register their approval



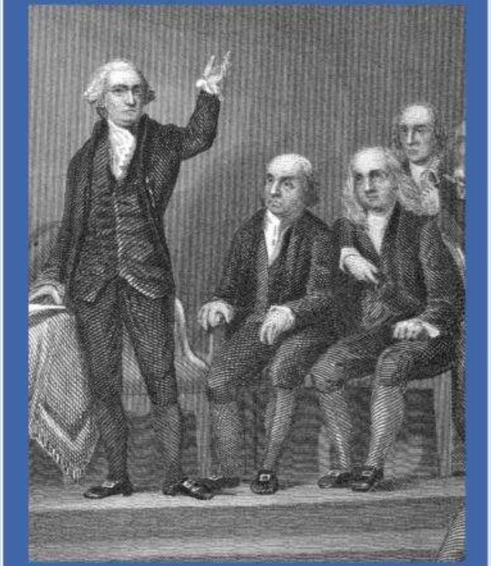
Statues commemorating the Founding Fathers, including President George Washington, can be found in Signers' Hall in the building in which the Constitution was born

That wasn't the end of the story for the Constitution, however. The first ten amendments made up the Bill of Rights, while the total list of amendments continues to grow, with the 27th coming into force in 1992, more than 200 years after the Founding Fathers put pen to paper. As the world evolves, politics has to evolve with it. Therefore it is remarkable that this piece of work, thrashed out by a bunch of middle-aged white men over a hot summer in the late 18th century, continues to endure and successfully provide the basis for one of the world's most powerful countries. When the Founding Fathers stepped out with their offering to the American people, little could they have known that it would still be operational and revered so many years later. When Washington presented the Constitution to the country, he wrote, "In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety – perhaps our national existence. That it will meet the full and entire approbation of every State is not, perhaps, to be expected; but each will, doubtless, consider, that had her interest alone been consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that Country so dear to us all, and secure her freedom and happiness, is our most ardent wish." Over two centuries later, it seems their wish is still being granted.

A NUMBERS GAME

Like all group projects, the Convention had their fair share of dissenters and dropouts

To get dozens of people in a room to agree to something as complex as the governing of a new nation isn't easy. Once they're there, it's even tougher to get them to actually agree on anything. Despite 70 delegates initially being invited, only 55 turned up, with Rhode Island abstaining entirely. During the course of the four-month Convention, that number dropped down to 42 for a variety of reasons. Some left to return to their homes and jobs – understandable given that it dragged on for over 100 days. John Dickinson and William C Houston had to leave due to ill health, while New York delegates John Lansing Jr and Robert Yates left in protest, claiming that the Convention was overreaching its objectives, which were to amend the Articles of Confederation. Notable figures such as future presidents John Adams and Thomas Jefferson never attended the Convention, despite supporting and contributing from afar, as they had been posted to England and France respectively. Let's not forget that while many of America's best and brightest were locked away in a hall, the business of governing the country and building international relations still remained. In the end, 39 of the remaining attendees signed the Constitution, as the absence of a Bill of Rights sufficiently concerned three of them, Elbridge Gerry, George Mason and Elbridge G Randolph. However, that was enough to get the ball rolling and, eventually, the ratification of the founding principles of the United States of America.



A group of men, trapped for months on end debating how to put the world to rights – both the precursor to the USA and social media

© Getty Images, Adobe Firefly

THE MEN WHO SIGNED THE CONSTITUTION

The Constitutional Convention was attended by 55 of the 70 appointed delegates, but only 39 of them signed the final document

Written by David Smith

William Samuel Johnson

1727-1819

Signed on behalf of: Connecticut

A self-taught lawyer, Johnson had many connections in Britain and was torn between the two competing sides when revolution broke out in 1775, eventually working on peace-making initiatives. Accused of communicating with the British in 1779, he put his skills in the law to good use to clear his name.

Roger Sherman

1721-93

Signed on behalf of: Connecticut

Another self-taught man, Sherman gave up the law to become a shopkeeper in Connecticut and soon embarked on a successful political career. He served in both the House of Representatives and the Senate and was a key man behind the 'Connecticut Compromise'.

Richard Bassett

1745-1815

Signed on behalf of: Delaware

A captain of cavalry militia during the Revolutionary War, Bassett was a committed member of the Convention (he attended regularly) but also a quiet one (he made no speeches at all and served on no committees).

Gunning Bedford, Jr

1747-1812

Signed on behalf of: Delaware

A lawyer by profession, it is believed that Bedford served as an aide to George Washington during the Revolutionary War. At the Convention he spoke passionately in support of the rights of smaller states.

Jacob Broom

1752-1810

Signed on behalf of: Delaware

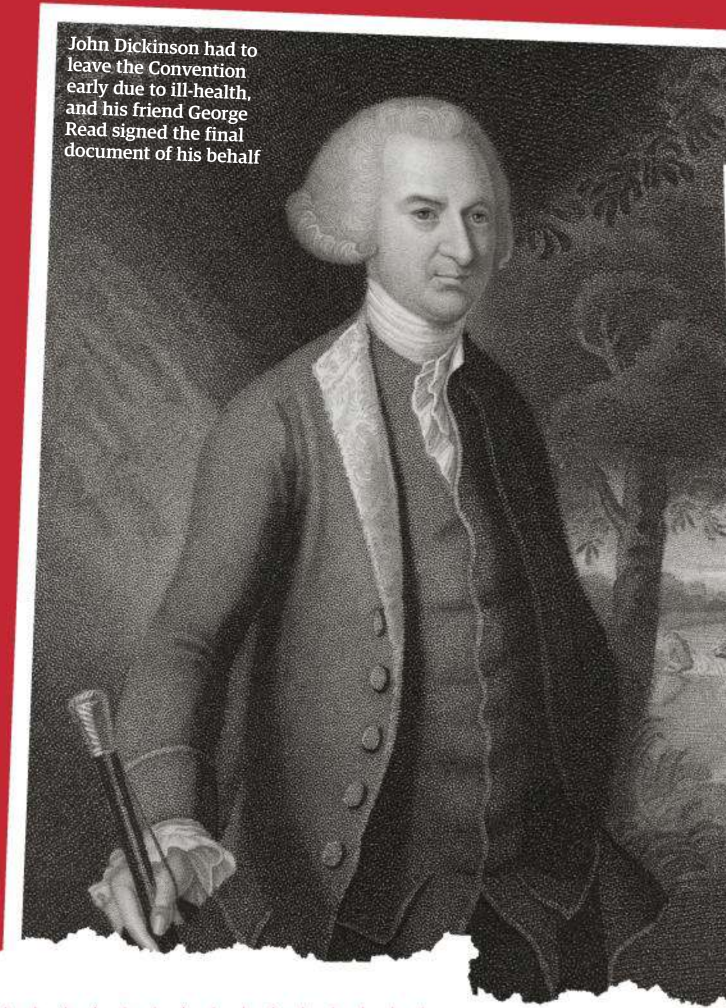
A farmer, surveyor and successful businessman, Broom turned his hand to many ventures, including real estate, an import company and a cotton mill. He attended every session of the Constitutional Convention.

John Dickinson

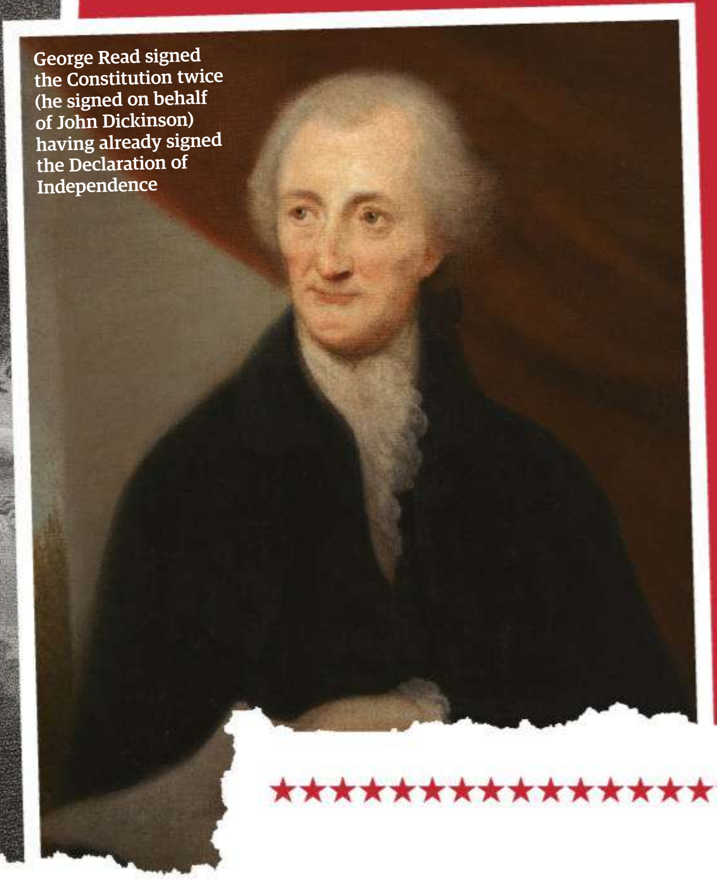
1732-1808

Signed on behalf of: Delaware

Known as 'the Penman of the Revolution', Dickinson was a highly educated, articulate advocate of a peaceful solution to the rift with Great Britain, and wrote the famous 'Olive Branch Petition' – a heartfelt but ultimately futile effort to get George III to rethink his policies regarding his North American colonies.



John Dickinson had to leave the Convention early due to ill-health, and his friend George Read signed the final document of his behalf



George Read signed the Constitution twice (he signed on behalf of John Dickinson) having already signed the Declaration of Independence

George Read

1733-98

Signed on behalf of: Delaware

One of six brothers, Read signed the Declaration of Independence, having voted against independence at the Continental Congress. He championed the cause of small states during the Convention and eventually went on to serve in the US Senate.

Abraham Baldwin

1754-1807

Signed on behalf of: Georgia

Having served as a minister and tutor at Yale, Baldwin was a chaplain in the Continental Army for part of the Revolutionary War and then turned to a career in the law, serving 18 years as a member of Congress and a senator.

William Few

1748-1828

Signed on behalf of: Georgia

After a difficult childhood, Few taught himself law and began to practise in 1776. He later became one of Georgia's first senators and worked as a federal judge from 1796 to 1799.

Daniel Carroll

1730-96

Signed on behalf of: Maryland

Carroll led a private life until entering public office in 1781, when he was elected to the Continental Congress. A friend of George Washington and an active attendee of the Convention, he made around 20 speeches during the various debates.

Daniel of St Thomas Jenifer

1723-90

Signed on behalf of: Maryland

A rather mysterious figure (almost nothing is known about his early years and no one is certain where he is buried), Jenifer was a moderate supporter of the revolutionary cause and a regular but mostly quiet attendee at the Convention.

James McHenry

1753-1816

Signed on behalf of: Maryland

An Irishman by birth, McHenry did not migrate to North America until 1771. He put his medical training to good use during the Revolutionary War, serving as an army surgeon, and thereafter went into politics. His journal is one of the best sources on the debates that took place during the Constitutional Congress.

★★★★★★★★★★★★★★★★★★

Nathaniel Gorham

1738-96

Signed on behalf of: Massachusetts

Giving up an apprenticeship to set up his own successful business, Gorham embarked on an active life in politics and was one of the most active attendees at the Convention. He lost his fortune in 1790, the result of a failed land-speculation deal in Massachusetts.

★★★★★★★★★★★★★★★★★★

Rufus King

1755-1827

Signed on behalf of: Massachusetts

One of the youngest delegates at the Convention, King was also one of the best speakers, renowned for the power of his oratory. He later served as a senator, a director of the First Bank of the United States and America's minister to Great Britain from 1796 to 1803.

★★★★★★★★★★★★★★★★★★

Nicholas Gilman

1755-1814

Signed on behalf of: New Hampshire

Gilman had a distinguished career in the military, serving throughout the Revolutionary War and reaching the rank of captain in the Continental Army. After the Convention he failed in his first bid to become a senator, but succeeded in 1804.

★★★★★★★★★★★★★★★★★★

John Langdon

1741-1819

Signed on behalf of: New Hampshire

Langdon commanded a militia company at the Battle of Saratoga in 1777 and sat on the Continental Congress. He was elected a senator in 1789 and rejected a nomination to be a vice-presidential candidate in 1812, believing that he was too old, although he lived another seven years after that.

★★★★★★★★★★★★★★★★★★

David Brearly (Brearley)

1745-90

Signed on behalf of: New Jersey

A prominent Freemason, Brearly served in the Revolutionary War as a captain and then a colonel, going on to a career as a judge after the war. At the Convention he opposed proportional representation in Congress.

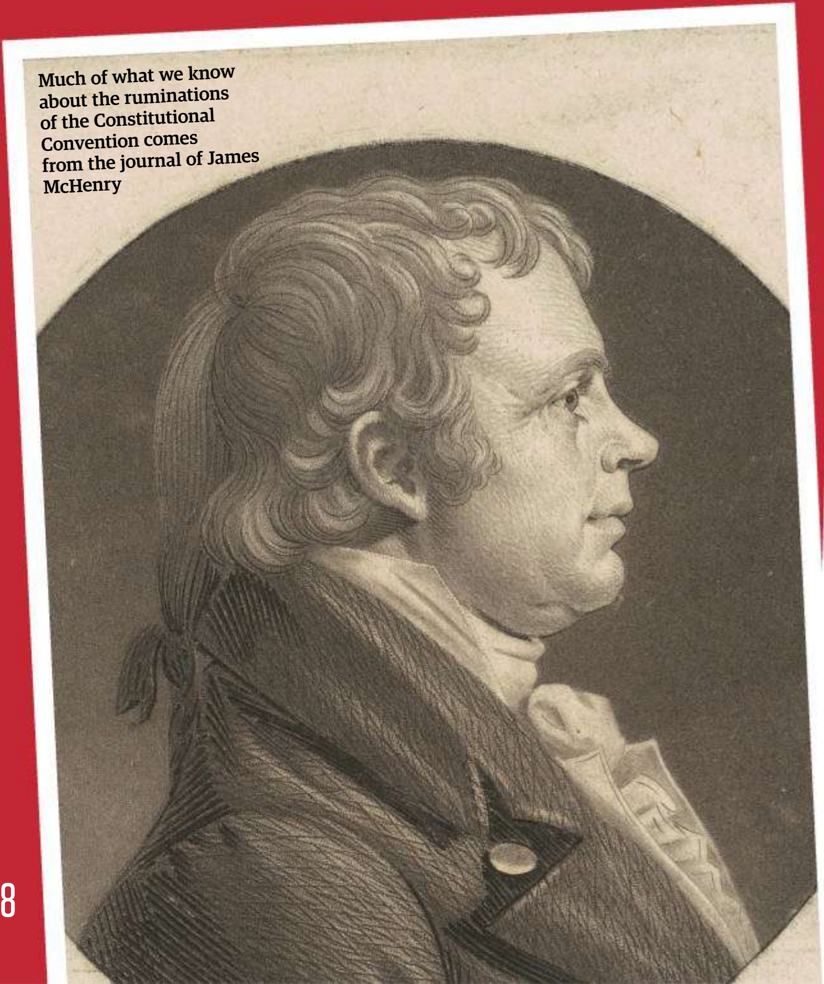
★★★★★★★★★★★★★★★★★★

Jonathan Dayton

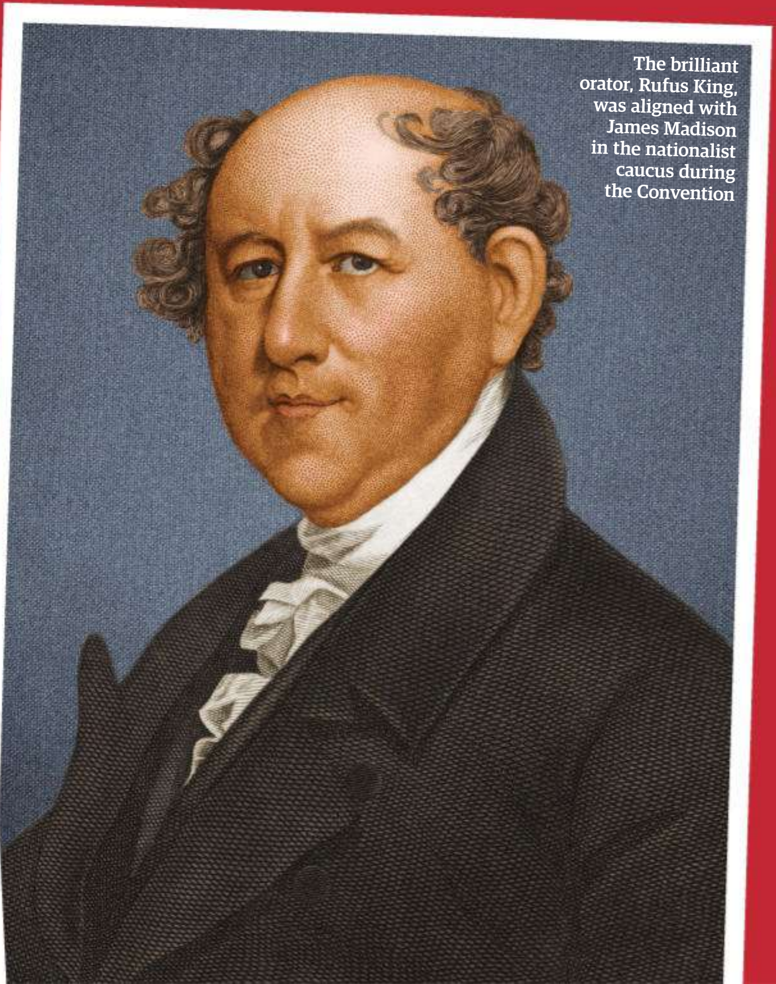
1760-1824

Signed on behalf of: New Jersey

A captain in the Continental Army at the age of 19, Dayton survived a period of imprisonment at the hands of the British and went on to a career as a lawyer and politician, with a little land speculation thrown in for good measure.



Much of what we know about the ruminations of the Constitutional Convention comes from the journal of James McHenry



The brilliant orator, Rufus King, was aligned with James Madison in the nationalist caucus during the Convention

William Livingston

1723-90

Signed on behalf of: New Jersey

Although his family wanted him to pursue a career as a businessman, Livingston chose the law, with great success thanks to his skills as a writer. Tiring of legal practice, he had semi-retired to the life of a gentleman farmer and poet by 1771.

William Paterson (Patterson)

1745-1806

Signed on behalf of: New Jersey

Born in Ireland, Paterson's family migrated to the United States when he was two years old. He was New Jersey's attorney general throughout the Revolutionary War and although absent for the latter stages of the Convention, he returned to sign the final document.

Alexander Hamilton

1757-1804

Signed on behalf of: New York

During a life colourful enough to make him the subject of a Broadway musical, Hamilton was a Revolutionary War pamphleteer and soldier, a lawyer, and secretary of the Treasury. Adding a final colourful flourish, he died after being wounded in a duel.

William Blount

1749-1800

Signed on behalf of: North Carolina

Blount was a half-hearted delegate who missed the first month of the Convention and reluctantly signed the final document out of a professed desire to make acceptance unanimous.

Richard Dobbs Spaight

1758-1802

Signed on behalf of: North Carolina

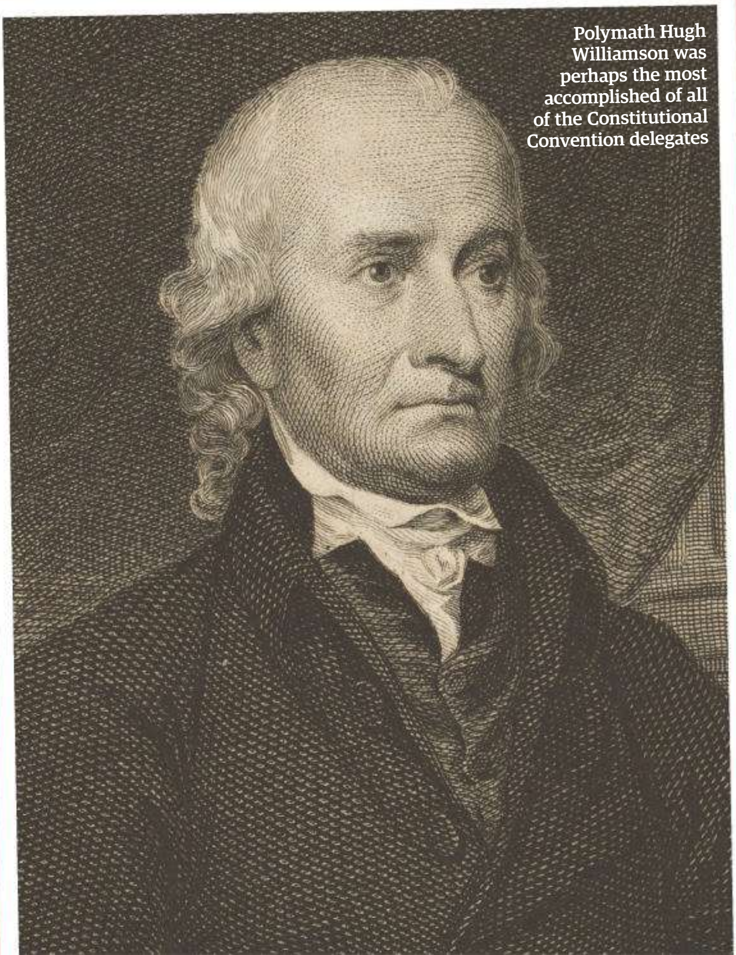
Orphaned at the age of eight, Spaight was sent to Ireland for his education and returned to America in 1778, whereupon he jumped into the Revolutionary War as a member of the state militia of North Carolina. He attended every session of the Convention.

Hugh Williamson

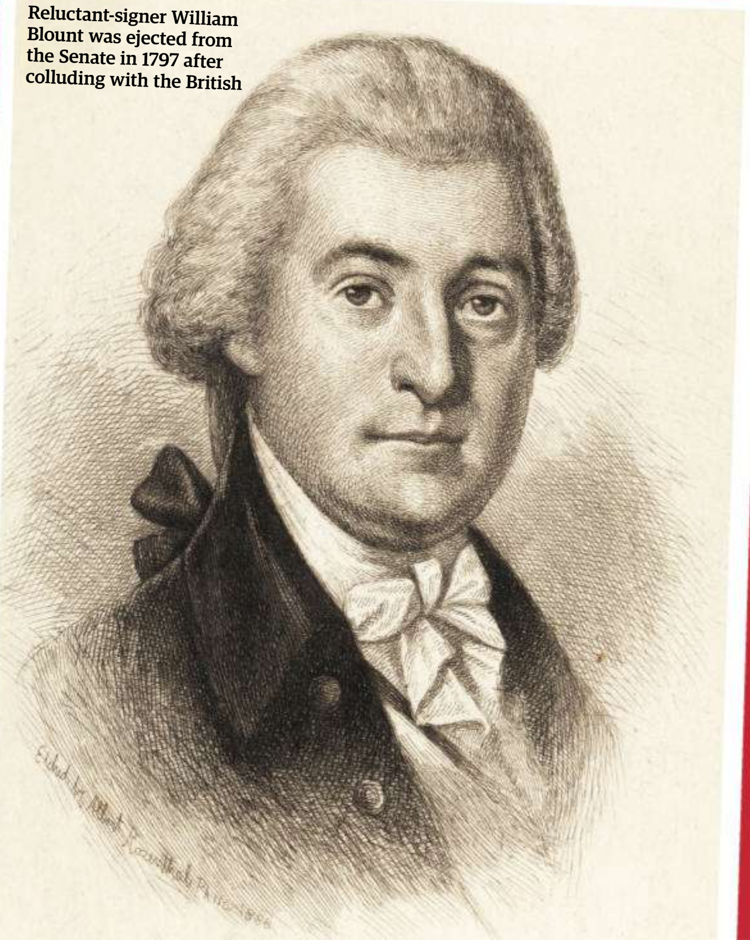
1735-1819

Signed on behalf of: North Carolina

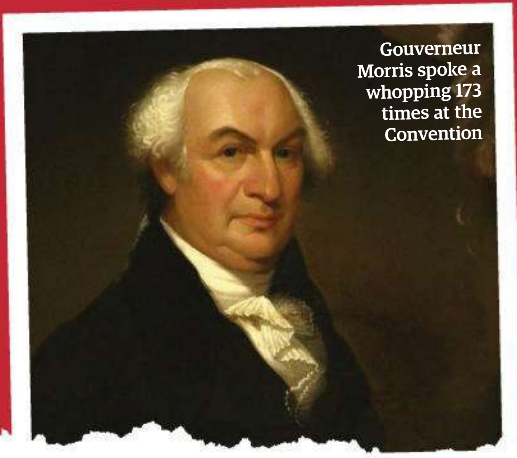
Williamson was one of the most accomplished delegates, being an ordained minister, a professor of mathematics, a medical doctor, a member of the American Philosophical Society and scientist of some renown, having written an influential paper on comets. Unsurprisingly, he was good friends with Benjamin Franklin.



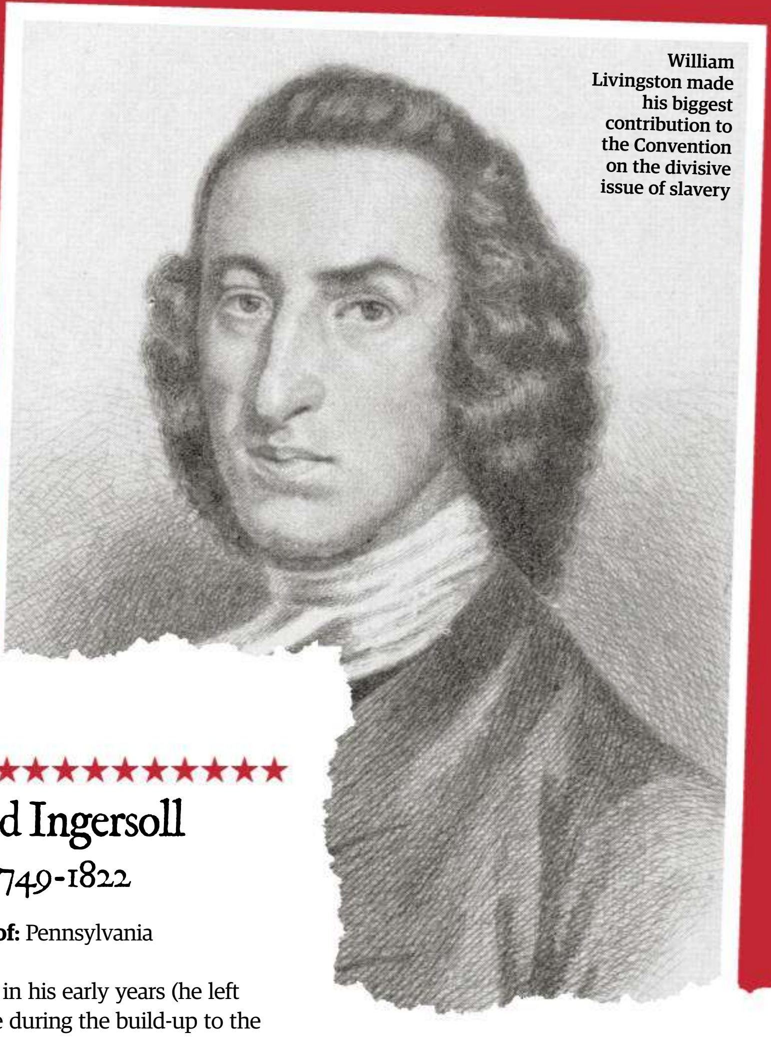
Polymath Hugh Williamson was perhaps the most accomplished of all of the Constitutional Convention delegates



Reluctant-signer William Blount was ejected from the Senate in 1797 after colluding with the British



Gouverneur Morris spoke a whopping 173 times at the Convention



William Livingston made his biggest contribution to the Convention on the divisive issue of slavery

George Clymer

1739-1813

Signed on behalf of: Pennsylvania

Raised by an uncle and growing up to be a successful businessman, Clymer put his money where his mouth was when revolution broke out, converting his gold to Continental currency to help finance the struggle for independence.

Thomas Fitzsimons (FitzSimons; Fitzsimmons)

1741-1811

Signed on behalf of: Pennsylvania

After arriving in America as a teenager, Fitzsimons embarked on a successful career as a businessman. He saw service as a militia captain during the Revolution and donated $5,000 of his own money to the cause of independence.

Benjamin Franklin

1706-90

Signed on behalf of: Pennsylvania

Mostly self-taught, Franklin was a whirlwind of passions and interests, trying his hand at publishing, politics and science, all with great success. He helped to write the Declaration of Independence and was an active delegate at the Convention. He was the only individual to sign all three of the Declaration of Independence, the Treaty of Paris and the Constitution.

Jared Ingersoll

1749-1822

Signed on behalf of: Pennsylvania

Although a loyalist in his early years (he left America for Europe during the build-up to the Revolutionary War) he attended every session of the Convention, though making little impact.

Thomas Mifflin

1744-1800

Signed on behalf of: Pennsylvania

Mifflin was expelled from his Quaker church when he took a commission as a major in the Continental Army during the Revolutionary War. He served as quartermaster general of the army and an aide to George Washington, and acted as chairman at the Convention.

Gouverneur Morris

1752-1816

Signed on behalf of: Pennsylvania

Morris helped to draft the first State Constitution of New York and was then a young firebrand in the Continental Congress. He was the most active delegate at the Convention, speaking 173 times.

Robert Morris

1734-1806

Signed on behalf of: Pennsylvania

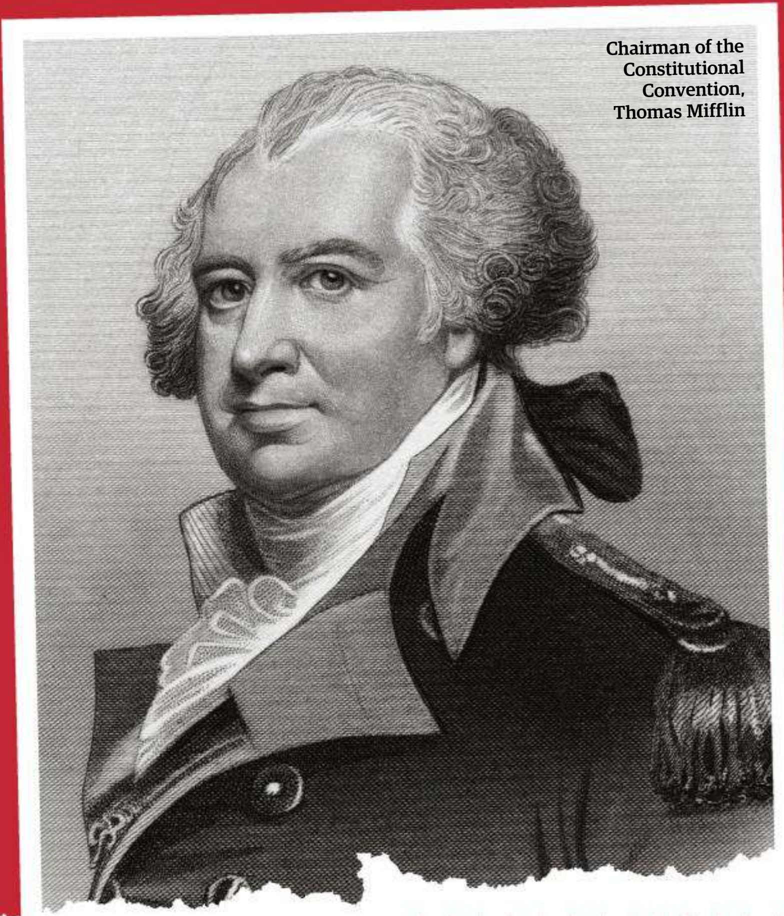
Morris (no relation to Gouverneur Morris) made a fortune from a contract to import weapons during the Revolutionary War, but his work helped keep the Continental Army in the fight. He financial touch deserted him later in life and he died a broken and destitute man.

James Wilson

1742-98

Signed on behalf of: Pennsylvania

Born and educated in Scotland, Wilson came to America in 1765 and set up a legal practice in 1768 (Robert Morris would be one of his clients). Wilson signed the Declaration of Independence and was second only to Gouverneur Morris in terms of the number of speeches that he made at the Convention.



Chairman of the Constitutional Convention, Thomas Mifflin

> “THE REVOLUTION TURNED MADISON’S THOUGHTS TOWARDS POLITICS. THE MAN BEHIND THE ‘VIRGINIA PLAN’ WAS THE MOST INFLUENTIAL DELEGATE AT THE CONVENTION”

Pierce Butler

1744-1822

Signed on behalf of: South Carolina

A major in the British 29th Regiment before the Revolutionary War, Butler served in the South Carolina militia when hostilities broke out. Although he was twice a senator, most of his energies went into his career as a planter.

Charles Pinckney

1757-1824

Signed on behalf of: South Carolina

Pinckney was captured during the Siege of Charleston in 1780 and held prisoner for more than a year. Having a high opinion of himself, he would claim that he had provided the initial draft of the Constitution – this appears doubtful, but he was an energetic and effective force at the Convention despite his tender years.

Charles Cotesworth Pinckney

1746-1821

Signed on behalf of: South Carolina

A student at Oxford, Pinckney was a veteran of battles including Brandywine, Germantown and Charleston. He attended every session at the Convention and suggested that senators should perform their duties without pay – a recommendation that was not adopted.

John Rutledge

1739-1800

Signed on behalf of: South Carolina

A rich plantation- and slave-owner, Rutledge was an active delegate, serving on five committees and acting as chairman of the Committee of Detail. He served one term as chief justice of the Supreme Court before his appointment was officially rejected.

John Blair

1732-1800

Signed on behalf of: Virginia

Blair was a conundrum – he attended most sessions of the Convention but did not speak and was not active on any committees. A lawyer by profession, he was later appointed to the Supreme Court.

James Madison

1751-1836

Signed on behalf of: Virginia

Having originally considered a career as a clergyman, the Revolution turned Madison’s thoughts towards politics. The man behind the ‘Virginia Plan’ was the most influential delegate at the Convention, speaking more than 150 times (although he was no great orator). He later served as the fourth President of the United States.

George Washington

1732-1799

Signed on behalf of: Virginia

Having led his nation to independence during the Revolutionary War, Washington was a towering figure, although he had little appetite for politics. Shortly to become the first president of the United States, he first presided over the Convention that shaped its government.

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The Constitution

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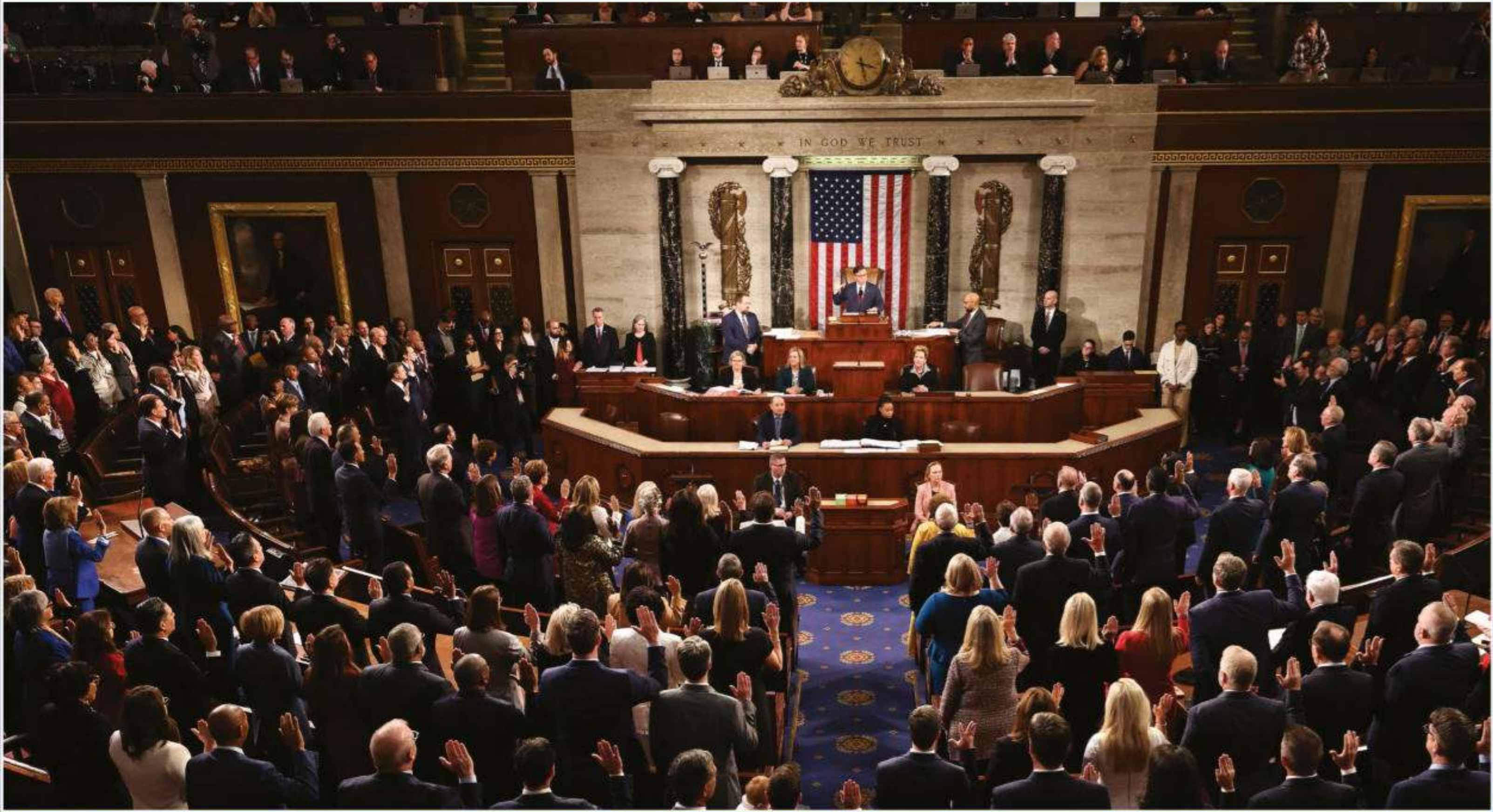
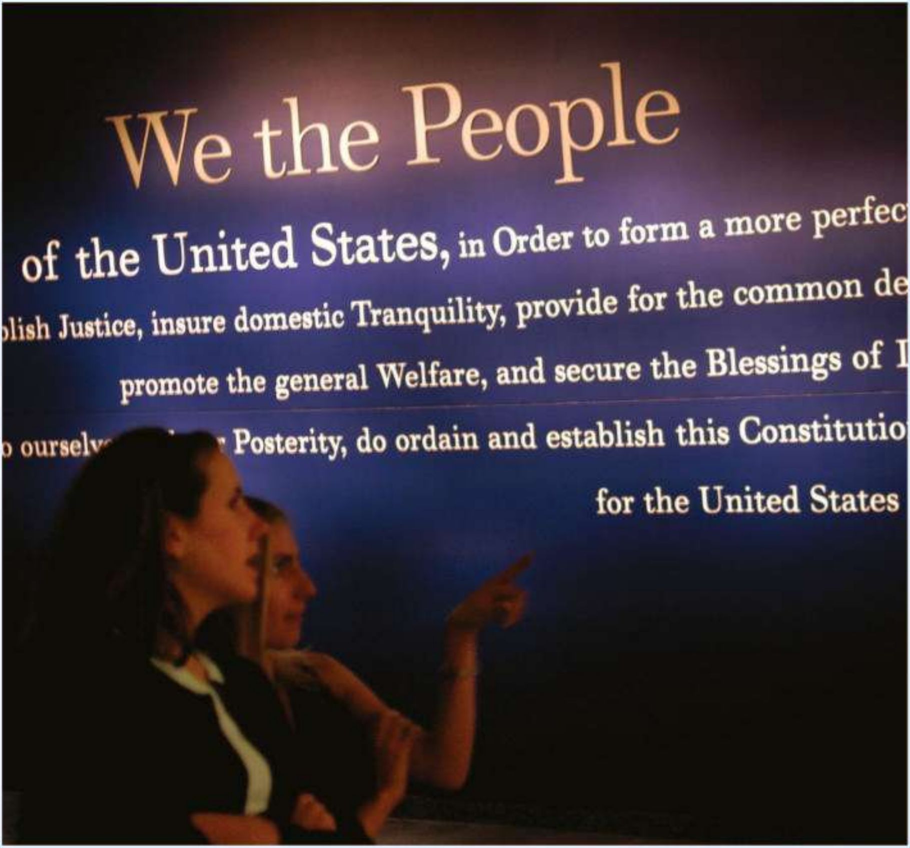
EQUAL JUSTICE UNDER LAW


IN GOD WE TRUST


We the People
of the United States, in Order to form a more perfec
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for the United States

We the People *of the United States,*

in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article 1

Section. 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote. Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4.

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators. The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5.

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member. Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, *Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.*

Section. 7.

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it.

If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9.
The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent *of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.*

Section. 10.
No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress. No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II

Section. 1.
The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of

Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators *present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.*

Section. 3.
He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4.
The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III

Section. 1.
The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2.
The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects. In all Cases

affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3.
Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV

Section. 1.
Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2.
The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up to be removed to the State having Jurisdiction of the Crime. No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3.
New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without

the Consent of the Legislatures of the States concerned as well as of the Congress. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4.
The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.
This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erazure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page. Attest William Jackson Secretary

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G. Washington
President and deputy from Virginia

Delaware
Geo: Read
Gunning Bedford jun
John Dickinson
Richard Bassett
Jaco: Broom

Maryland
James McHenry
Dan of St Thos. Jenifer
Danl. Carroll

Virginia
John Blair
James Madison Jr.

North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu Williamson
South Carolina
J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia
William Few
Abr Baldwin

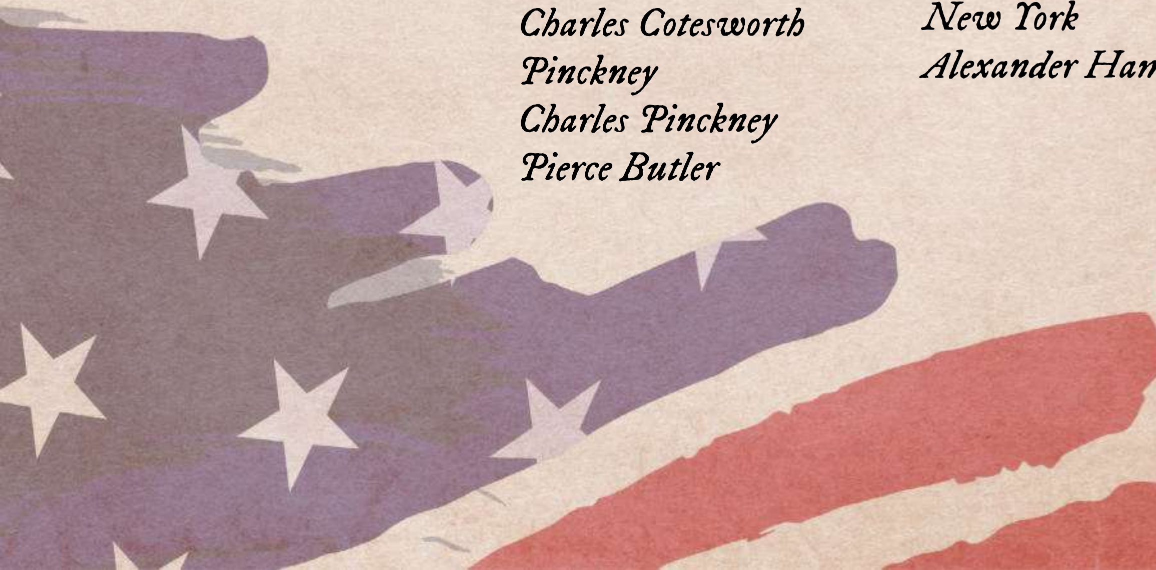
New Hampshire
John Langdon
Nicholas Gilman
Massachusetts
Nathaniel Gorham
Rufus King

Connecticut
Wm. Saml. Johnson
Roger Sherman

New York
Alexander Hamilton

New Jersey
Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

Pennsylvania
B Franklin
Thomas Mifflin
Robt. Morris
Geo. Clymer
Thos. FitzSimons
Jared Ingersoll
James Wilson
Gouv Morris



UNDERSTANDING THE CONSTITUTION

One Preamble, seven articles and 27 amendments – including the Bill of Rights – make up the United States Constitution. But what exactly do these articles of the Constitution mean for the country?

Written by Catherine Curzon

In 1787, Jacob Shallus attended the Constitutional Convention in Pennsylvania. It was there that he prepared four pieces of parchment containing the words of what would become the world's longest-surviving written charter of government: the United States Constitution. Ratified in 1788 and implemented one year later, the US Constitution serves as a commitment by the US Government to serve its people. It replaced the Articles of Confederation, which had provided the first government framework, and it has endured to the modern age, shaping America over centuries. Beginning with its first three words, "We the People", the Constitution is pivotal in how the US Government is organised.

As the fundamental framework of the federal system of government, the Constitution splits the powers of the Federal Government between three branches. They are the Legislative Branch (Congress), which makes the laws; the Executive Branch (the presidency), which executes the laws; and the Judicial Branch (headed by the Supreme Court), which interprets the laws.

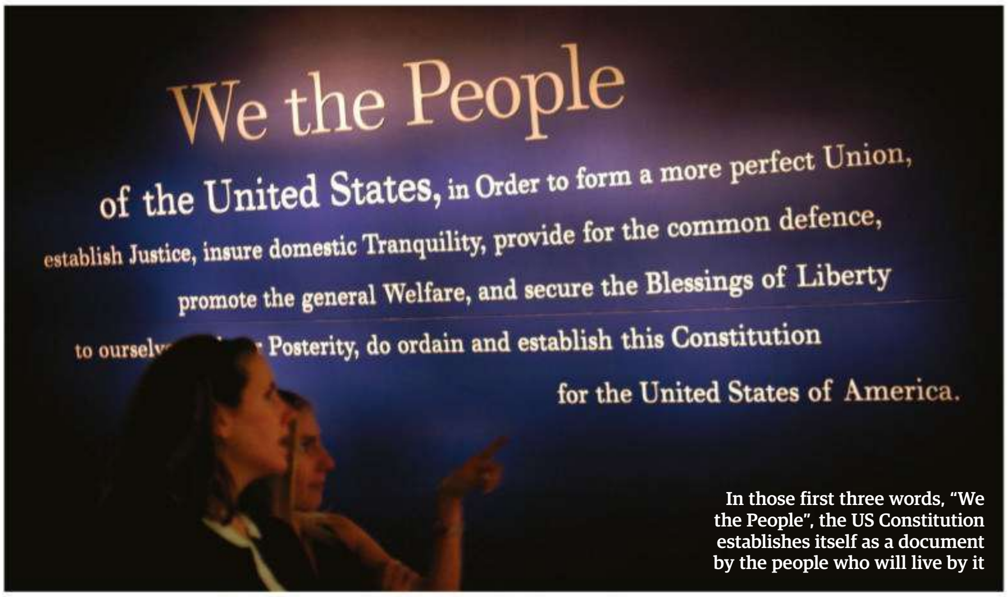
As suggested by those first words, the US Constitution does not place recognition of the government's legitimacy in states nor politicians, but in the people of America. The main provisions of the document and the framework for the Federal Government are established by its seven articles, each of which takes a different focus. Within these articles can be found the rights and responsibilities of State governments and the president, as well as the process for amending the Constitution.

Article I deals with the Legislative Branch and sets out the powers of Congress, made up of the Senate and the House of Representatives. This article establishes how members will be elected and what qualifications are required, including minimum age and place of residence. The matters within Article I range from weights and measures, to taxation and the right to direct military forces. Crucially, this article also establishes the powers possessed by the legislature and the scope and limits of each.

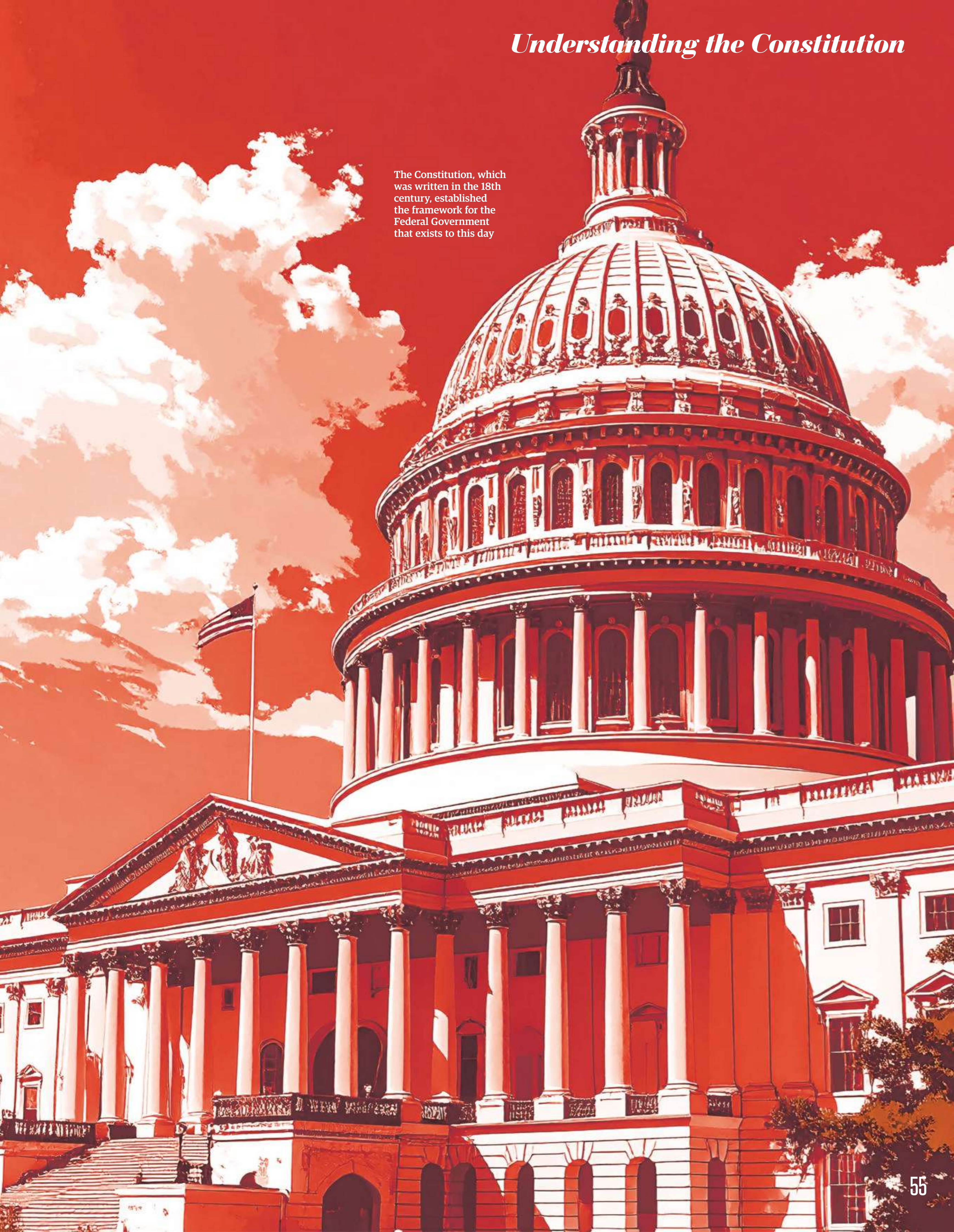
Article II focuses on the office and duties of the president and vice president of the United States – the Executive Branch. If includes not only the presidential oath, but also the mechanism for impeachment and the removal of a president, should such a thing be necessary. This article also establishes the president's responsibility to report the State of the Union to Congress and, under special circumstances, to convene and adjourn Congress.

In Article III, the fundamentals of the United States court system, including the Supreme Court, can be found – the Judicial Branch. It protects the right to trial by jury for criminal cases and establishes the rights and limitations of the federal courts. In addition, Article III defines what is considered treason, protecting political arguments in Congress from leading to charges of treason in the interests of allowing non-violent opposition to the government.

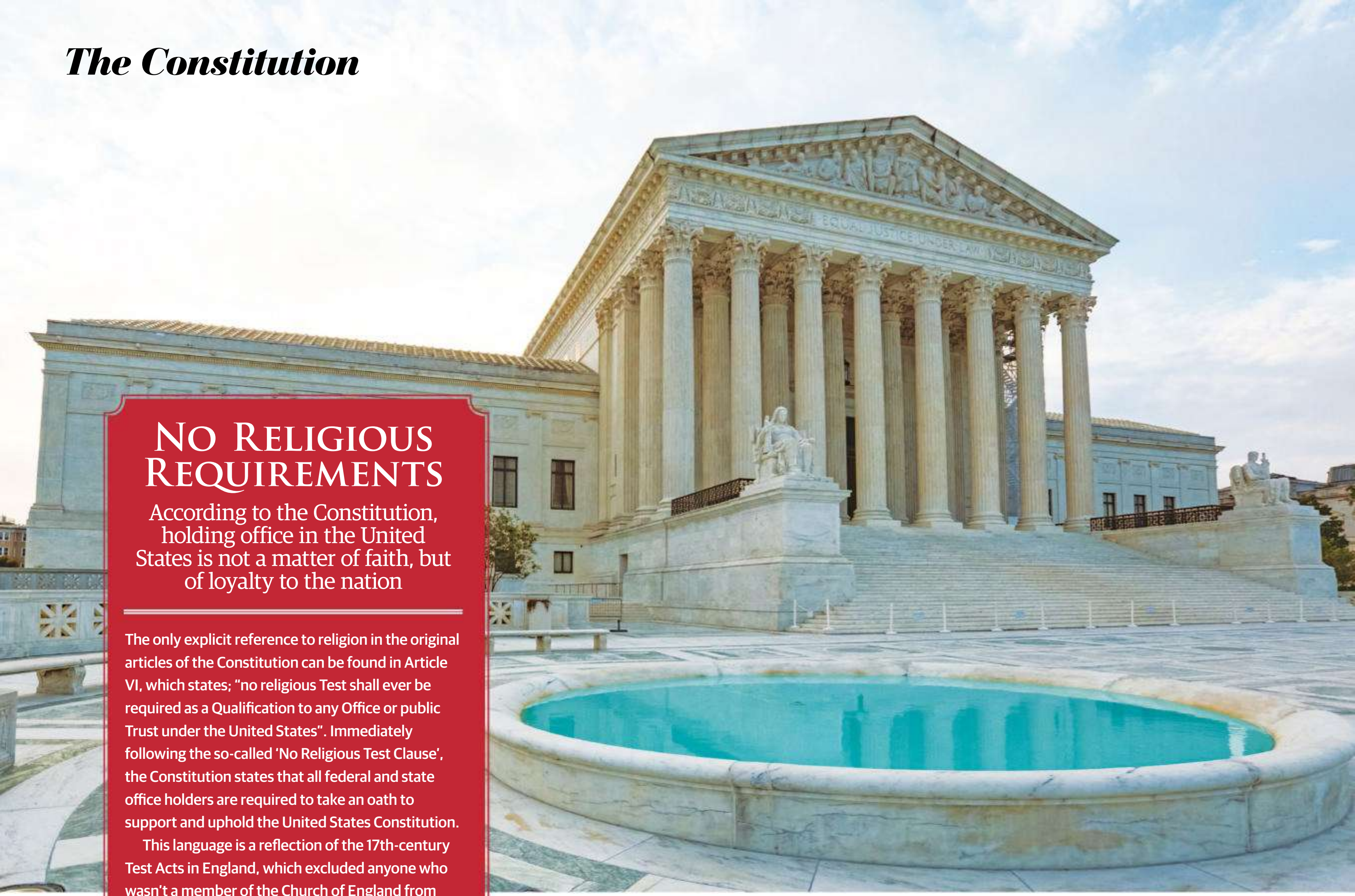
The states and citizenship are the subject of Article IV, specifically the relationship not only between each of the states, but their relationship with the Federal Government. This article is where the process for admitting new states to the union can be found, as well as for redrawing borders. It prohibits states from discriminating against citizens of others in favour of its own residents and establishes the process of extradition between states, thus confirming free movement for US citizens. Though this may seem unnecessary today, prior to the US Constitution, crossing over state lines could be surprisingly difficult and even expensive.


We the People
of the United States, in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility, provide for the common defence,
promote the general Welfare, and secure the Blessings of Liberty
to ourselv
Posterity, do ordain and establish this Constitution
for the United States of America.

In those first three words, "We the People", the US Constitution establishes itself as a document by the people who will live by it



The Constitution, which was written in the 18th century, established the framework for the Federal Government that exists to this day



NO RELIGIOUS REQUIREMENTS

According to the Constitution, holding office in the United States is not a matter of faith, but of loyalty to the nation

The only explicit reference to religion in the original articles of the Constitution can be found in Article VI, which states; "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States". Immediately following the so-called 'No Religious Test Clause', the Constitution states that all federal and state office holders are required to take an oath to support and uphold the United States Constitution.

This language is a reflection of the 17th-century Test Acts in England, which excluded anyone who wasn't a member of the Church of England from holding government office. Not wishing to conform to this official state religion, colonists searched for a new land where they could worship in accordance with their beliefs, but inevitably, colonial governments also began to establish state faiths. In order to avoid a situation in which certain beliefs held government sway and others were silenced, the Founders hoped to head off another situation like the Test Acts by explicitly stating in the Constitution that no religious test could be applied to officeholders. Many scholars have interpreted this as a demonstration that the original Framers of the Constitution wished to make clear the separation of church and state. Despite this, the constitutions of eight states still require officeholders to have particular religious beliefs in order to take office. However, a Supreme Court decision in 1961 reinforced the words of Article VI, rendering such requirements unenforceable.

The US Constitution ensures that nobody can be given or refused office on the basis of their faith

The process for making amendments to the Constitution can be found in Article V. This article was deemed necessary because of the differing mechanisms for amendment before the Constitution was created, which made reform almost impossible and agreement virtually unheard of. The mechanism set out in the Constitution ensures that a two-step process must be followed, overseen by the archivist of the United States. Article V also establishes a small number of clauses that have permanent exemption from any amendments.

Article VI establishes that the Constitution and the federal laws contained therein enjoy ultimate supremacy over state laws and requires that all federal and state legislators, officers and judges take an oath to uphold and support the Constitution. This means that no state constitution can conflict with its federal counterpart and that, if it is found to do so, state judges have no choice but to honour the US Constitution over any individual state. This article also rules that no religious test can be a requirement for public office in the United States.

Article VII sets out the process for establishing the framework of what was, at the time of writing, a proposed new system of government. Sensing that many states would be suspicious of the focus on federalism, delegates to the Philadelphia Convention that wrote the Constitution decided that the best way to calm any worries was if the document could be ratified by elected conventions, on a state-by-state basis. This article therefore ensured that the Constitution was not forced on the people, but ratified by their elected representatives.

While it may seem as though the Constitution is an exhaustive document, it is worth pointing out that is has some notable exceptions. Chief among these is that the original Constitution did not definite who was eligible to vote, leaving that decision up to each state. Because of this, the vote was mostly restricted to white men who owned property.

The US Constitution is also considerably shorter than most other national constitutions and is one of only three that protects the right to own and bear arms; the others are Mexico and Guatemala.

Although some of the articles have been amended in the centuries since the Constitution was written, the focus of each has not changed from when it was first laid down. It is regarded by scholars as being the most difficult Constitution in the world to amend, though a process for amendment does exist. Yet the document that begins "We the People" and has been in effect since 1789, remains the most important in the history of the USA. To this day it is fiercely protected by both the government and the people of the United States, by and for whom it was first written.

VOTES FOR US WHEN WE ARE WOMEN
VOTES FOR US WHEN WE ARE WOMEN

The Constitution has little to say on the matter of suffrage, nor who should be eligible to vote

Within the seven articles can be found the Legislative, Executive and Judicial branches of government

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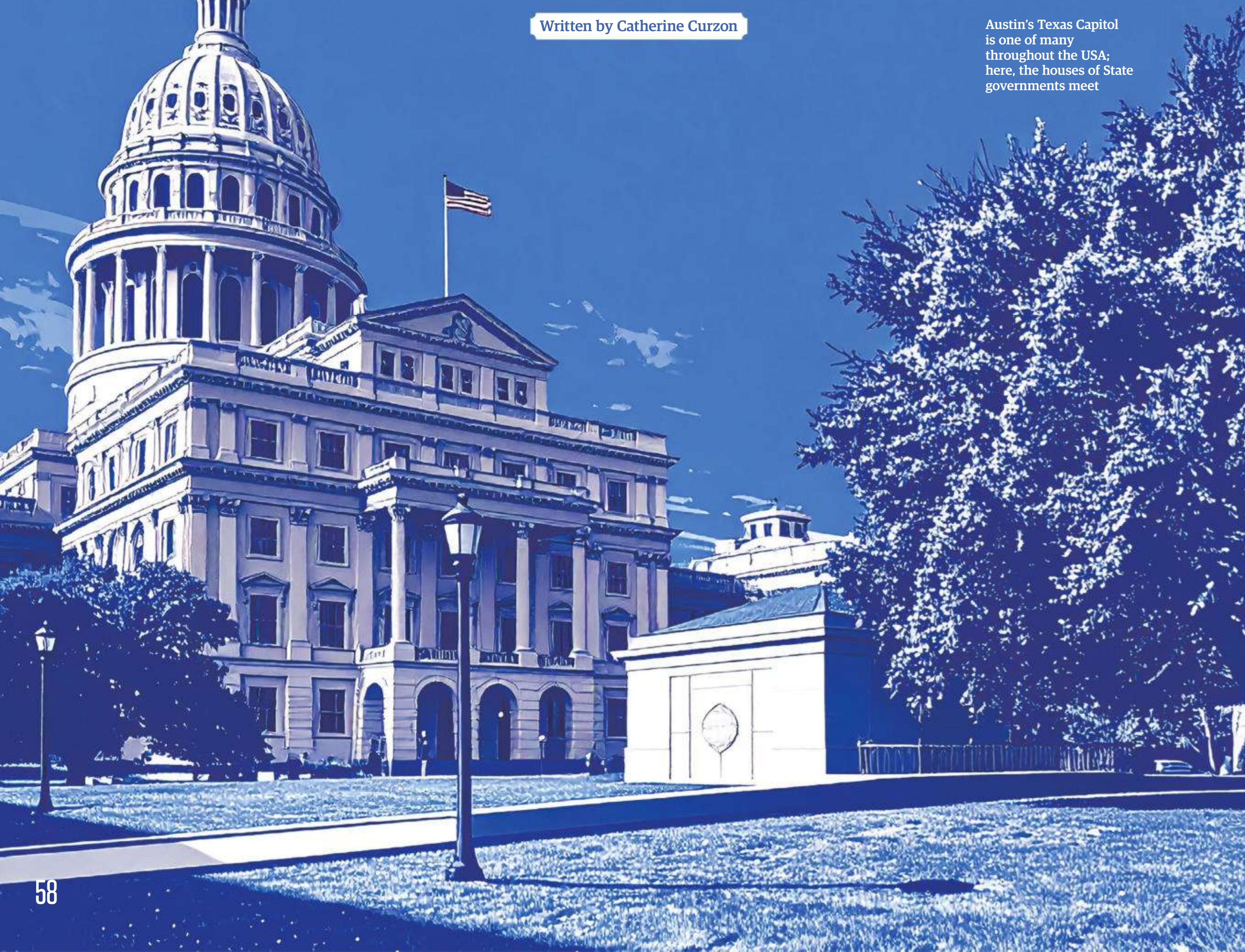
WHAT IS FEDERALISM?

Federalism is embedded in the Constitution, in the hope of assuring a fair share of power. But what exactly is it and why does it matter?

Written by Catherine Curzon



Austin's Texas Capitol is one of many throughout the USA; here, the houses of State governments meet

POLLING PLACE
VOTE
VOTE

Elected officials at every level, from local to state to federal, are answerable to the American people

The Constitution established federalism at the heart of the framework of American government. At its most simple, the concept of federalism refers to the division and sharing of power between two distinct but inextricably linked bodies: the Federal Government and its State counterparts. By ensuring that power is shared in this way, the Framers of the Constitution intended to establish a Federal Government of extensive but ultimately limited powers, while State governments enjoyed a degree of autonomy that could reflect the concerns of their individual area of interest. This central – or Federal Government – is the highest tier.

Exactly how the powers are divided and how they can be implemented is not set in stone in the Constitution. The three branches of Federal Government – namely the Executive, the Legislative, and the Judicial branches – provides a set of checks and balances intended to ensure that none can wield power that dominates the others. It is State governments, however, that enjoy the greatest influence over the daily lives of American citizens.

Before the signing of the US Constitution, the prevailing system of government in America more closely resembled that of the states rather than the centre. America was made up of 13 colonies and despite mutual agreements and common interests, they essentially governed themselves from within. With many of the colonists having left England precisely because of central government encroachment into the lives of citizens, they did not welcome the introduction of a similar system in their new land. With the very real possibility of resistance to the Constitution in mind, the Framers of the Constitution were careful to include a definition of the powers and limits of the Federal Government, and also of the State governments, in the document. This framework of shared power enables the Federal Government to control nationwide matters, while states are responsible for local issues.

While exclusive powers are those limited to either Federal or State governments, concurrent powers are those shared between both. The Federal Government is responsible for a raft of exclusive powers including, but not limited to, matters of taxation and tariffs as well as coining money, establishing rules for naturalisation, declaring war and raising armed forces, and creating treaties and agreements with other nations. This ensures that the United States behaves as one unified country in matters that have an impact on the entire nation. States cannot establish their own system of currency, for instance, nor go to war or levy taxes on imports and exports.

Exclusive powers afforded to the states include those regarding the conducting of elections and establishing local government structures, as well as powers to provide for public safety, welfare and health. States are also vital to ratifying amendments to the Constitution, ensuring that the Federal Government cannot ride roughshod over them in order to suit its own ends.

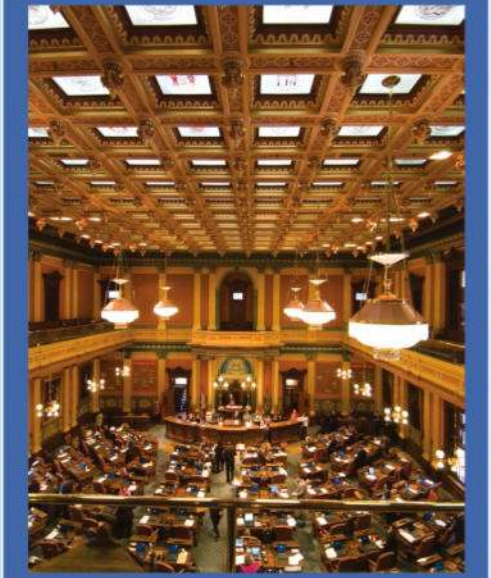
Concurrent powers – those shared between the Federal and State governments – include administrating courts, enforcing laws, setting

THE TENTH AMENDMENT

How this amendment defines the principle of federalism in the United States

The Tenth Amendment of the United States Constitution explicitly prohibits the Federal Government from exercising any powers that are not specifically delegated to it by the Constitution. It defines the division of power between Federal and State governments, outlining the specific powers enjoyed by the Federal Government and confirming that any powers not explicitly awarded to the Federal Government and equally, any not explicitly prohibited to the states, are the responsibility of the individual states or the people themselves. This means that states have the autonomy to establish their own laws and regulations across a range of issues, providing they do not undermine associated federal regulations.

The powers kept by the states under the Tenth Amendment are referred to as the 'reserved powers'. These powers include, but are not limited to, the power to create a local government structure; the creation and maintenance of public schools; regulations for marriage and divorce; the responsibility for public health and safety; and arrangements for elections. While the Federal Government isn't permitted to control these areas, it can offer incentives to states to go in a certain direction, usually in the form of grants that come with stipulations for how they are to be used. This means that, while the Federal Government can't have authority, it can enjoy a substantial amount of influence over state decisions and the direction taken by State governments and decision makers.



The Tenth Amendment ensures that powers awarded to the states cannot be seized by the Federal Government taxes or setting out spending plans. However, despite the sharing status of these laws, state legislatures are always superseded by federal laws wherever there is disagreement. This is meant to ensure that no state can undermine the national interest.

It is not uncommon for US states to be divided into two local tiers - counties and municipalities. These are defined by each individual state and are often very different; they may also operate under their own charters, or a combination of state and local law. Local government is divided into four categories, namely county, town or township, municipal and special purpose. Each state is responsible for establishing what powers these categories will have and they can differ enormously from state to state. Likewise, not every state employs every category.

County governments are the first tier of administration and these have their own governmental structure. County powers vary from state to state, with some placing the emphasis on judicial, while others possess wide-ranging powers across issues such as education, housing or transportation. Counties are then subdivided into townships or towns and once again, the powers available to these levels of local government vary across the USA. Some are recognised as civil townships, meaning that they have limited governmental powers, while others have no such authority.

Alongside county governments are municipalities, which provide government for a defined area. They range from a population of one in Monowi, Nebraska, to millions. They may also be special-purpose local governments for a specific reason. An example of this is a conservation district or school district, which exist to protect the environment and manage education respectively, in a particular area.

While arrangements in local government can vary greatly from state to state, at the state level there is far more coherence when it comes to the people entrusted with power and office. Each State government consists of its own Legislative, Executive and Judicial branches within its own defined boundaries. Each state legislature, excluding Nebraska, has a bicameral legislature, meaning that it consists of two chambers. This state legislature, or congress, consists of an upper house or Senate, and a lower house, which is known by different names in different states.

The bicameral legislature upper house enjoys the exclusive right to confirm appointments made by the governor and, where necessary, to impeach. Members of this chamber typically serve for four years and represent more citizens than members of the lower house. Members of the lower house serve for two years.

The state legislature carries out its business in the same way as the national, mirroring the structure of the United States Congress and having the same system of checks and balances. The main function of the state legislature is to create laws and approve budgets. A state legislature is expected to manage areas of concern for its jurisdiction and ensure that its decisions address these. They regulate courts

With the Federal Government exercising central power, each state has its own triple branch of government
Welcome to
Sweet Home
Alabama
Governor Kay Ivey
Tallapoose Ri
Watershed

While some protected powers cannot be exercised by the Federal Government, some equally are not available locally. These include the power to control the US military or go to war

The lavish interiors of the New York State Capitol in Albany, which is the highest court in the state. Each state will have its own comparable institution and businesses and, should an amendment be required to a state constitution, it is up to the state legislature to follow the correct – and often challenging – steps to ensure this is correctly approved and ratified. The state legislature also has the power to call for a national convention in order to propose amendments to the United States Constitution.

Each State government is permitted to organise its department however it sees fit and there is no one template that is applied to all. However, all State governments are run as mirrors of the Presidential system, though this is not a requirement. This means that they reflect the three-branch structure and have an elected governor serving as head of government and head of state. Just as the president heads the Executive Branch of power at a national level, at the State level this role falls to the governor. In the vast majority of states there is a plural executive, meaning that the people elect not only the head, but also supporting officers. These include, but aren't limited to, the roles of attorney general, secretary of state, and lieutenant governor, who is usually elected on a ticket with the candidate for governor.

The Judiciary consists of lower state courts that are headed by the state's own Supreme Court, which serve as courts of last resort. As with so many other things, the court structure and the system of selecting judges varies between states and is set out in each state's constitution. In many, the governor can appoint judges, giving the governor a large influence in their area. None of these courts, however, can overrule the decisions of the US Supreme Court, nor rule against the US Constitution.

Federalism enables State governments to test theories and applications of government and to serve as a proving ground for novel concepts, while ensuring that their power, just like those of the Federal Government, cannot be abused. Crucially, it increases accountability of elected officials to the citizens whom they represent: American people have the right to hold to account not only those in Federal Government, but at state level, too.

By separating the powers into three branches and including a series of checks and balances, no one branch is able to become too powerful. By dividing government itself between the national and the states, each state is able to enjoy a degree of autonomy while still functioning as a member of the Union. This democratic division of power guarantees that government has a direct relationship with the people of the United States via their representatives.

Perhaps most important of all is that the Federal Government provides for a unified approach on issues of national concern, while allowing for local concerns to be addressed. These local matters can be dealt with at the most regional level possible, meaning that government can be tailored as required to sometimes very small local areas. Ultimately, those who represent the American people at both national and regional levels are answerable to those same people, who have their say at the ballot box.

The federal system allows for very specialised institutions, such as school districts, which manage local education

THE ROLE OF GOVERNOR

The state governor serves as commander-in-chief of the state they represent; but what does the role entail?

In the United States, each state has as its chief executive an elected governor, who serves as its head of state. They serve four years in the vast majority of cases, with New Hampshire and Vermont's governors serving only two years. Each state governor enjoys extensive powers and is supported by office holders that they often have the power to personally appoint. As the head of the State government's Executive Branch, the power of each governor differs depending on the jurisdiction but broadly includes matters such as government budgeting, the right to make appointments, including judges, and the right to make decisions on legislation. In some states, governors also have control over the state's defensive forces and National Guard, as well as the power to commute or pardon those convicted of a crime.

However, as with all tiers of US Government, governors cannot rule unopposed. They are elected by the people and can also be moderated by the state legislature. Their power is also controlled by matters such as their electoral majority and institutional powers, which are given to them by law. For instance, a governor with wide sweeping budgetary controls and the right to make significant appointments will obviously have a stronger power base than one who does not.

State governors also carry out ceremonial duties and most state constitutions require that their governor give an annual address, reporting on the condition of their state. This State of the State address is comparable with the State of the Union address given by the president, thus further demonstrating the way in which State and Federal Government share common elements.

STATE OF NEW YORK
GOVERNOR KATHY HOCHUL

One of the duties of the state governor is provide their State of the State Address

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THE SEPARATION OF POWERS

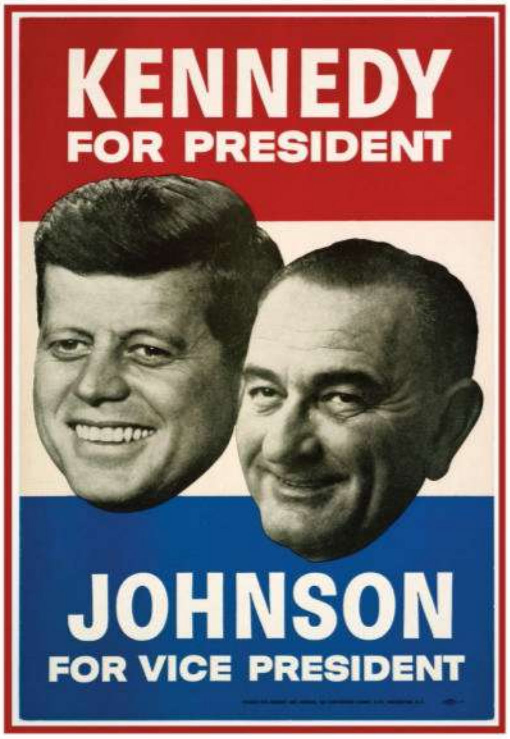
The federal government consists of three branches; their relationship is vital to democracy in the United States of America

Written by Catherine Curzon

The separation of powers is fundamental to the United States Constitution and the government of the USA; fittingly, it is far from a modern concept. Born out of the writings of Charles de Secondat, Baron de Montesquieu, in the 18th century, it is a doctrine that establishes a constitutional government with three distinct but connected branches, each of which has its own specific powers and authority and each of which can check the powers of the other two. When the Framers of the Constitution laid out the document that formed the framework of the US Federal Government, they based it on that very doctrine, regarding it as the most balanced structure and one that would prevent any abuse of power, no matter how lofty the office. Enshrined in the document are the three branches of government: Executive, Legislative, and Judicial.

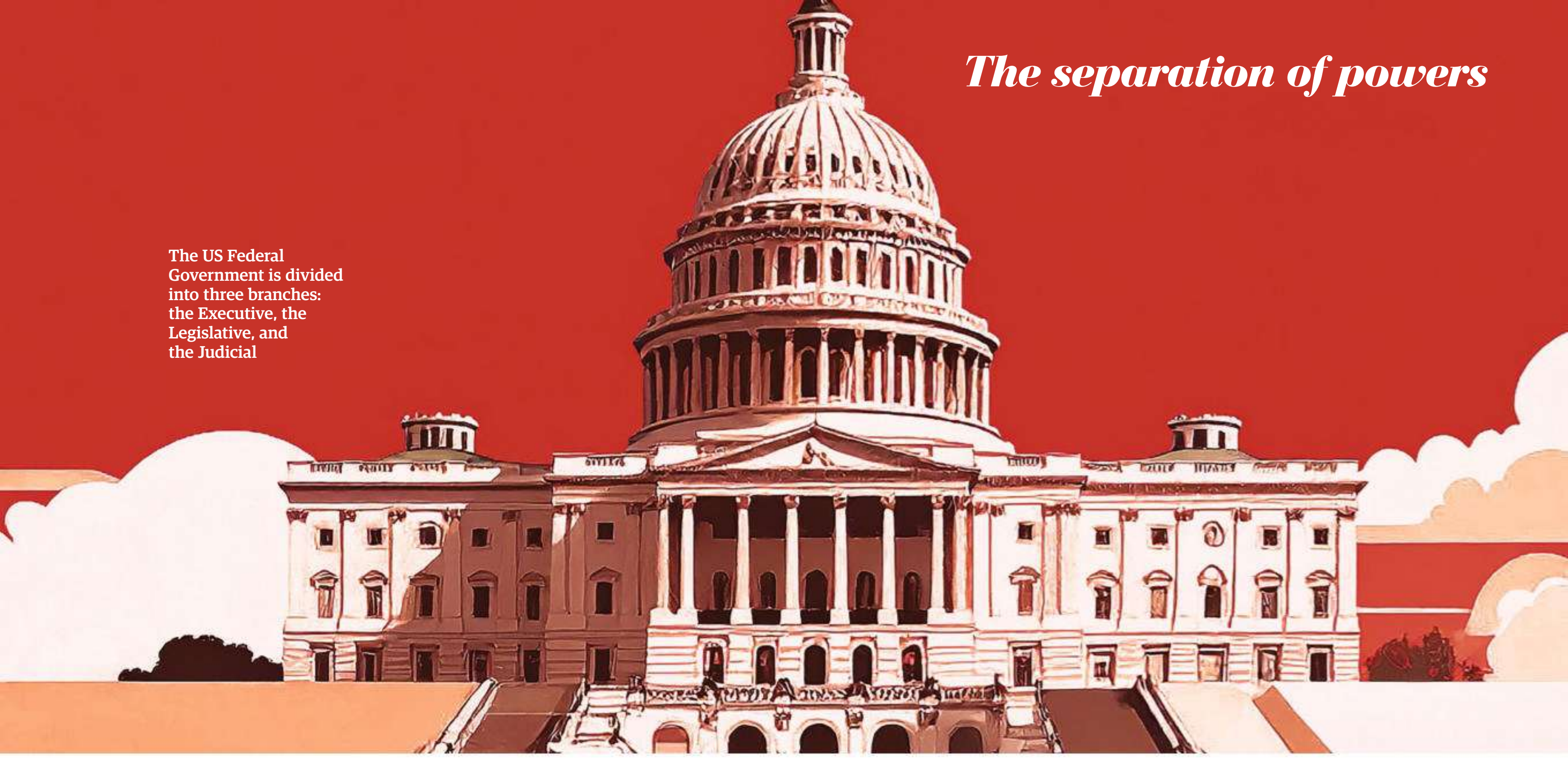
At the pinnacle of the Executive Branch sits the president of the United States, the head of state and commander-in-chief of the armed forces of the USA. It is a role that carries with it enormous responsibility, but the burden of this office does not rest on one person alone. This is the whole point of the three-branch framework – ensuring that decisions cannot be made by a sole individual. The president is responsible for implementing the laws that have passed through Congress and also for ensuring they are enforced. Obviously this isn't a job that one person can do, so the president appoints the Cabinet and the heads of the different federal agencies. Each member of the Cabinet leads one of 15 executive departments and the president also appoints the heads of over 50 independent federal commissions, as well as ambassadors, federal

The Executive Branch of government is headed by the president, who operates from the Oval Office in the West Wing

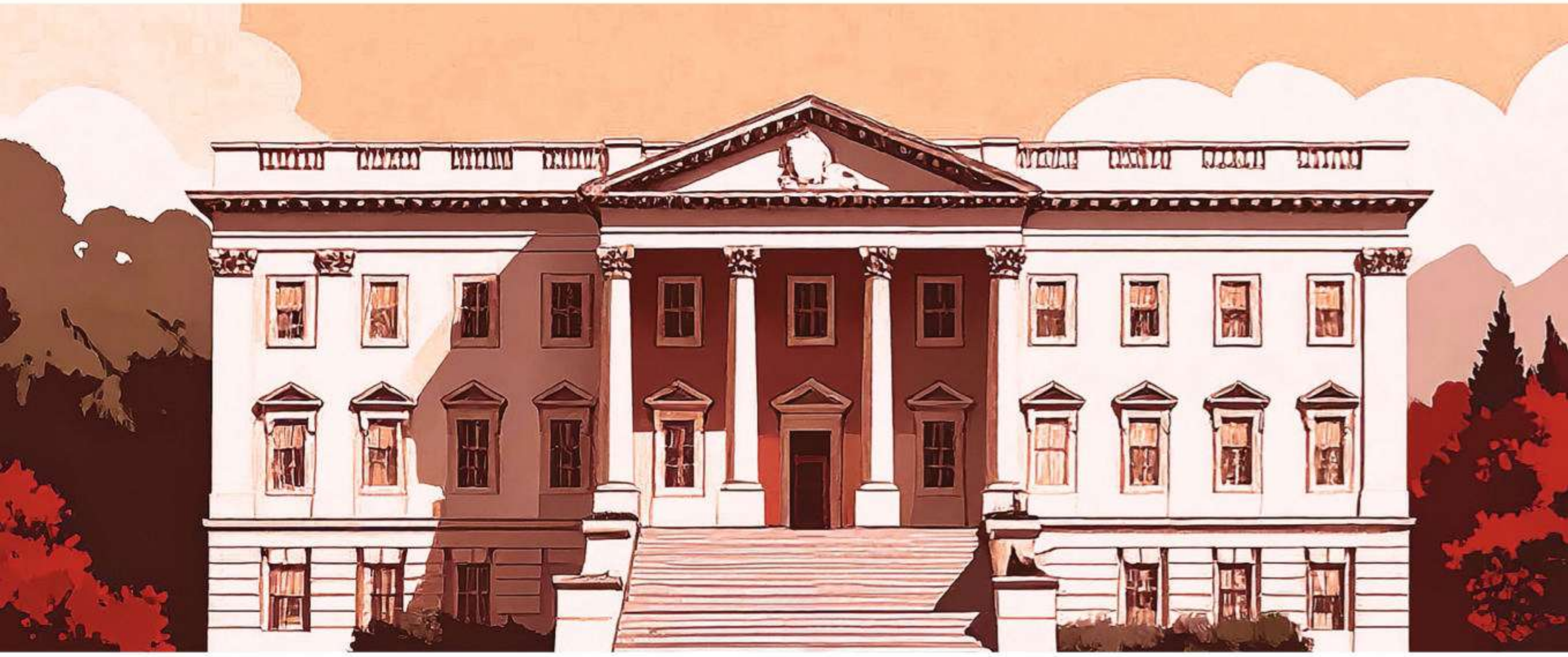


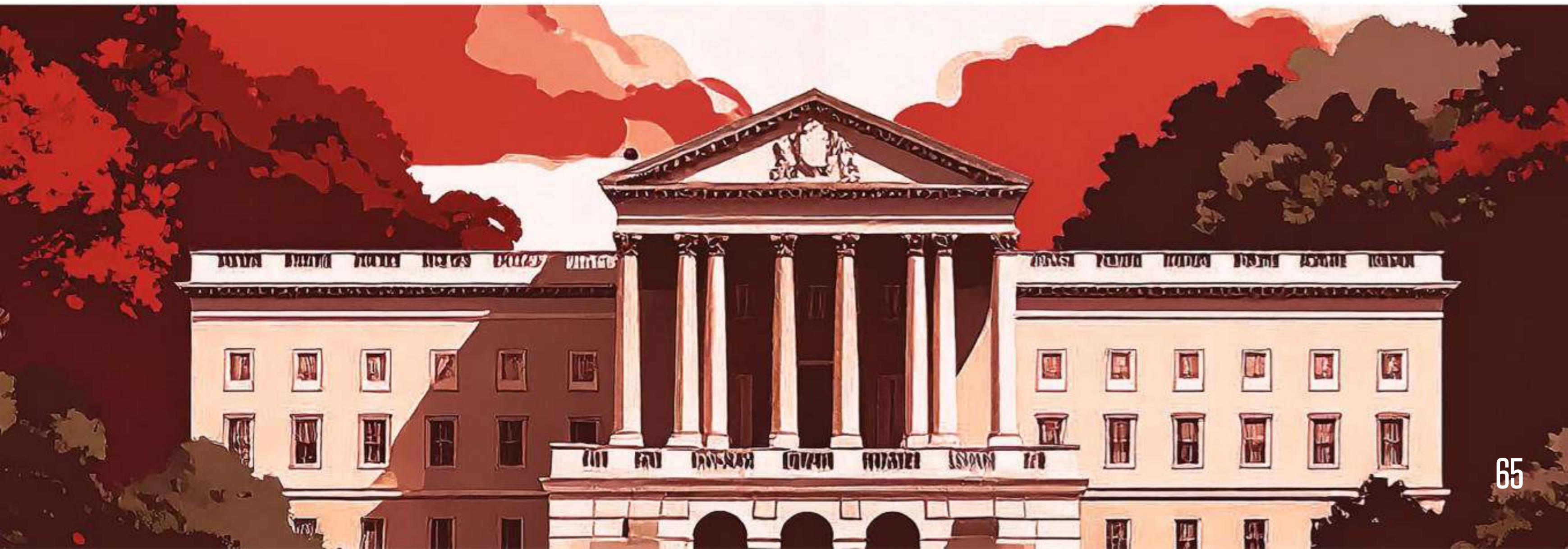
The vice president is second in the line of presidential succession and is usually elected on a ticket with president

The separation of powers

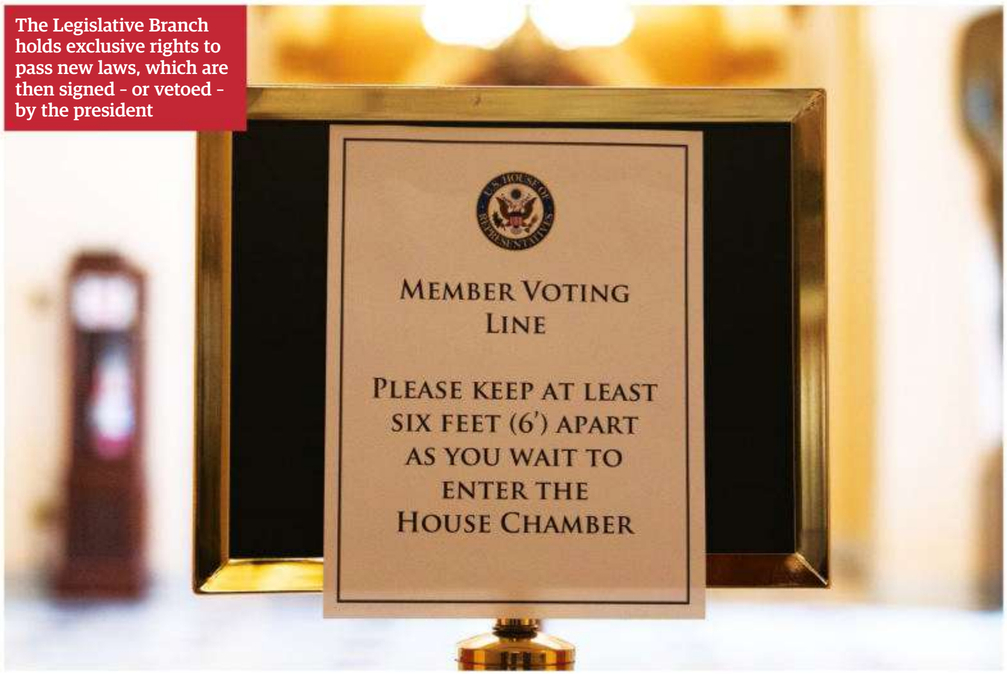


The US Federal Government is divided into three branches: the Executive, the Legislative, and the Judicial





The president must sign into law bills voted through by Congress, but can also veto them


Member Voting Line
Please keep at least six feet (6') apart as you wait to enter the House Chamber

The Legislative Branch holds exclusive rights to pass new laws, which are then signed - or vetoed - by the president

judges and other officers. These bodies ensure that federal laws are adhered to across a massive portfolio of topics. Accordingly, the Executive Branch employs over 4 million people, including the members of the armed forces.

As head of state, the president has the power to sign into law or veto bills that Congress has written. The responsibility for diplomacy lies with the Executive Branch, as well as to negotiate treaties, which must be ratified by two-thirds of the Senate; in addition, the president can issue pardons for even the most serious federal crimes. Of course, these powers come with responsibilities, one of which is the annual State of the Union address, in which the president lays out their plans for the year.

Beneath the president is the vice president, who is expected to step up and take charge if the president can no longer carry out their duties. Elected alongside the president, the vice president is also president of the Senate, which comes with the power to cast the deciding vote in the event of a tied result.

> "THE AUTHORITY OF THE LEGISLATIVE BRANCH LIES IN THE HANDS OF CONGRESS, WHICH ALONE HAS THE POWER TO LEGISLATE FOR THE UNITED STATES. IT CANNOT DELEGATE THIS POWER EVEN IF IT MIGHT WISH TO"

The authority of the Legislative Branch lies in the hands of Congress, which alone has the power to legislate for the United States. It cannot delegate this power even if it might wish to. Congress is made up of an upper house (the Senate) and a lower house (the House of Representatives). The House of Representatives contains 435 members; each state is represented by at least one person and the number of representatives per state is based on the size of the population. Each representative serves a two-year term before re-election. Members of the Senate, meanwhile, serve six-year terms. Regardless of the size of a state or its population, each has two senators to make up the total number of 100. Their elections are staggered, with one-third being re-elected every two years.

Established by Article I of the Constitution, Congress has the power to legislate, to declare war, to confirm or reject some presidential appointments, and the power to investigate matters of importance to the United States. In order for a bill to pass into legislation and receive the signature of the president, it must achieve a majority vote in both the House and the Senate. If the president then attempts to veto it, they can force the bill into law by returning it to Congress, where it must pass each chamber by a majority of at least two-thirds.

Crucial to the checks and balances provided within the Constitution, the Legislative Branch is able to check the power of the president. This oversight of the Executive Branch means that Congress is able to balance the president's discretion when it comes to implementing new laws and regulations. The president cannot simply pass a law without Congress having heard and voted on the bill, nor can a bill be rejected in the Oval Office without it being returned to Congress for the second vote.

IMPEACHMENT

The power of the Legislative Branch to impeach a president cannot be underestimated

The United States Constitution confirms that the power of impeachment rests with the House of Representatives alone and that the Senate shall try all impeachments. It also states that two-thirds of the Senate must vote to impeach in order to secure a conviction. Impeachment is a charge of misconduct against a person that holds public office and in the USA, the president, vice president, and all civil officers can be subject to impeachment.

The power to impeach is a fundamental element of the system of checks and balances that the Constitution guarantees and the process is clearly set out to ensure fairness. When impeachment proceedings begin, the House of Representatives charges an official of the Federal Government by voting on the articles of impeachment. If a majority votes to impeach, the articles are sent to the Senate, which will act as the High Court of Impeachment. With the hearing underway, the Senate appoints a committee of members to serve as 'managers'. These managers are essentially prosecutors and will review evidence and question witnesses, just as a lawyer would in a criminal trial. If the individual on trial happens to be the president, the chief justice of the United States will preside over the trial.

Once the trial has concluded, the Senate votes on the charges. If two-thirds vote to convict, the official is remove from office, no matter how senior. There is no right of appeal and the Senate reserves the right to ban the convicted individual from holding office in future.

Bill Clinton was impeached in 1998; he was only the second president in history to face such a trial

THE CABINET

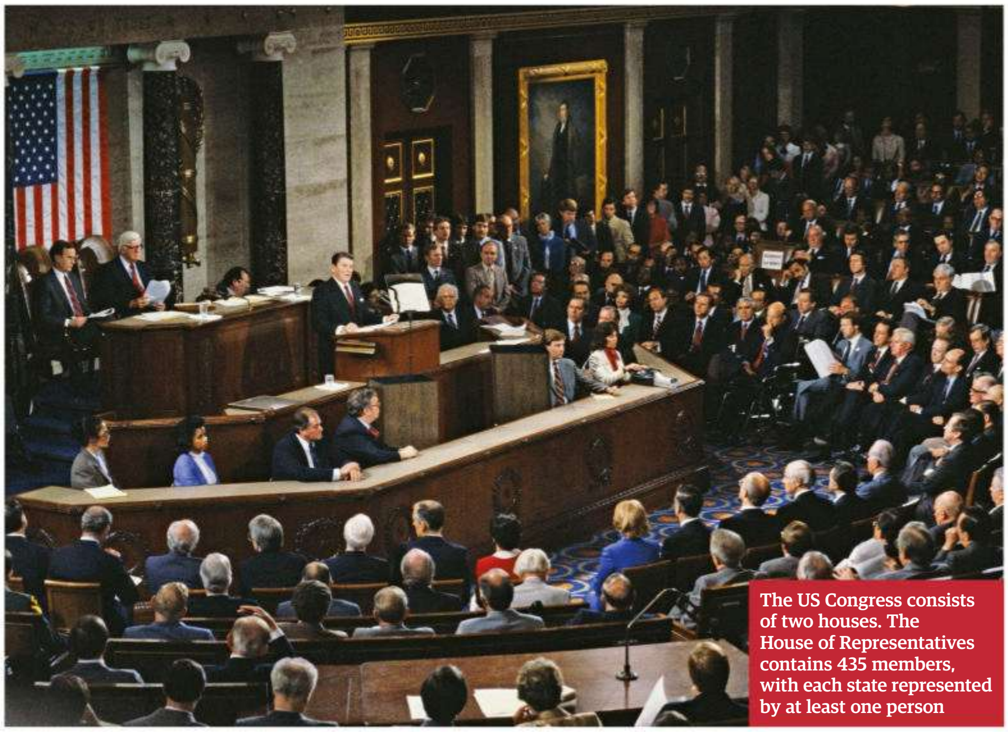
Few are as close to the president or as powerful as the Cabinet of the United States

The president of the United States appoints a Cabinet to act as their principal official advisory body. Though the president isn't a member of the Cabinet, they chair Cabinet meetings in the West Wing of the White House, as close to the Oval Office as one can get. It is a fitting metaphor for the close relationship between Cabinet and the president, whose appointments to Cabinet office are confirmed by the Senate. Unlike other office holders, who may be civilian or military, appointments to the Cabinet are political and each of the 26 members, including the vice president, have their own duties and responsibilities.

Cabinet secretaries enjoy full administrative control over the departments they are appointed to head, such as the Treasury, the Defence Department or the Department of Education, and at meetings, they sit in the order in which their respective department was created. This means that the Cabinet member responsible for the oldest department sits closest to the commander-in-chief, while the head of the newest department is sat at the far end of the table.

The Cabinet possesses no collective powers and does not vote. Just as the members are appointed by the president with the approval of Senate, so too can they be removed by the president at anytime. Dismissals, however, do not require the approval of the Senate. Like the president, Cabinet members are subject to impeachment and each takes a place in the presidential line of succession, ready to step in and assume command, should they be needed.

The Cabinet is personally appointed by the president. Though their offices are prestigious, they can be personally dismissed, too


The US Congress consists of two houses. The House of Representatives contains 435 members, with each state represented by at least one person

Congress exercises this oversight through hearings. Two bodies – the House Committee on Oversight and Government Reform, and the Senate Committee on Homeland Security and Government Affairs – exist to watch over government operations, asking questions and suggesting reform whenever necessary. Congress is also home to the Government Accountability Office, which audits and reports on every aspect of the Federal Government, ensuring that money received in the form of taxes is spent efficiently and effectively. After all, this is taxpayer money, and Congress holds the purse strings.

The Executive Branch can place a check on the Legislative Branch by vetoing bills, although a mechanism exists for a second hearing. The Executive Branch can also check the Supreme Court by refusing to execute its orders; in reality, this is rarely done. The Legislative Branch, however, does have the right to impeach the president; it is one of the biggest checks in its arsenal and can result in the commander-in-chief losing their office altogether. The president, on the other hand, has no such answering power.

The Judicial Branch finds its original in Article III, which guarantees every person the right to a fair trial before a jury of one's peers. It is the only branch not elected by the people, as members of the Judicial Branch are appointed by the president and have their appointments confirmed by the Senate. This ensures that appointments are constitutional and there's a mechanism for refusing any that aren't. However, it also gives the Executive Branch the opportunity to appoint a Supreme Court that reflects its own aims.

Congress does have some ability to structure the judiciary as it wishes, including deciding the number of Supreme Court Justices. Federal judges are not subject to a fixed term, and cannot be removed except by impeachment; they can serve until they wish to retire or even until the day of their death.

Federal courts alone enjoy the power to interpret the law, determine if it is constitutional and apply it. The US Supreme Court is the highest court in the country and its existence is specifically required by the Constitution. All lesser courts within the USA are constrained by the decisions of the Supreme Court and cannot reinterpret or set aside an interpretation once the Supreme Court has made its decision. The Judicial Branch can check both of the others through the right to judicial review. This enables it to scrutinise the actions of both the Executive and Legislative branches, giving citizens the right to challenge decisions in court to ensure they are in the public interest, rather than that of government or individuals with a vested interest. At its most powerful, judicial review allows the Supreme Court to declare presidential acts or Acts of Congress unconstitutional.

The three-branch system is not always at peace with itself and historically, the Legislative and Executive branches have been seen as tussling for dominance, with the Judicial unable to match their powers. There have been struggles as well as give and take, as the balance of power shifts back and forth. Nonetheless, the separation of powers is at the heart of the US system of government. This framework ensures that the judiciary remains independent and that neither the president nor members of Congress can wield power unchecked. Though the system has, at times, found itself tested, it has endured; it will no doubt do so for many years to come.

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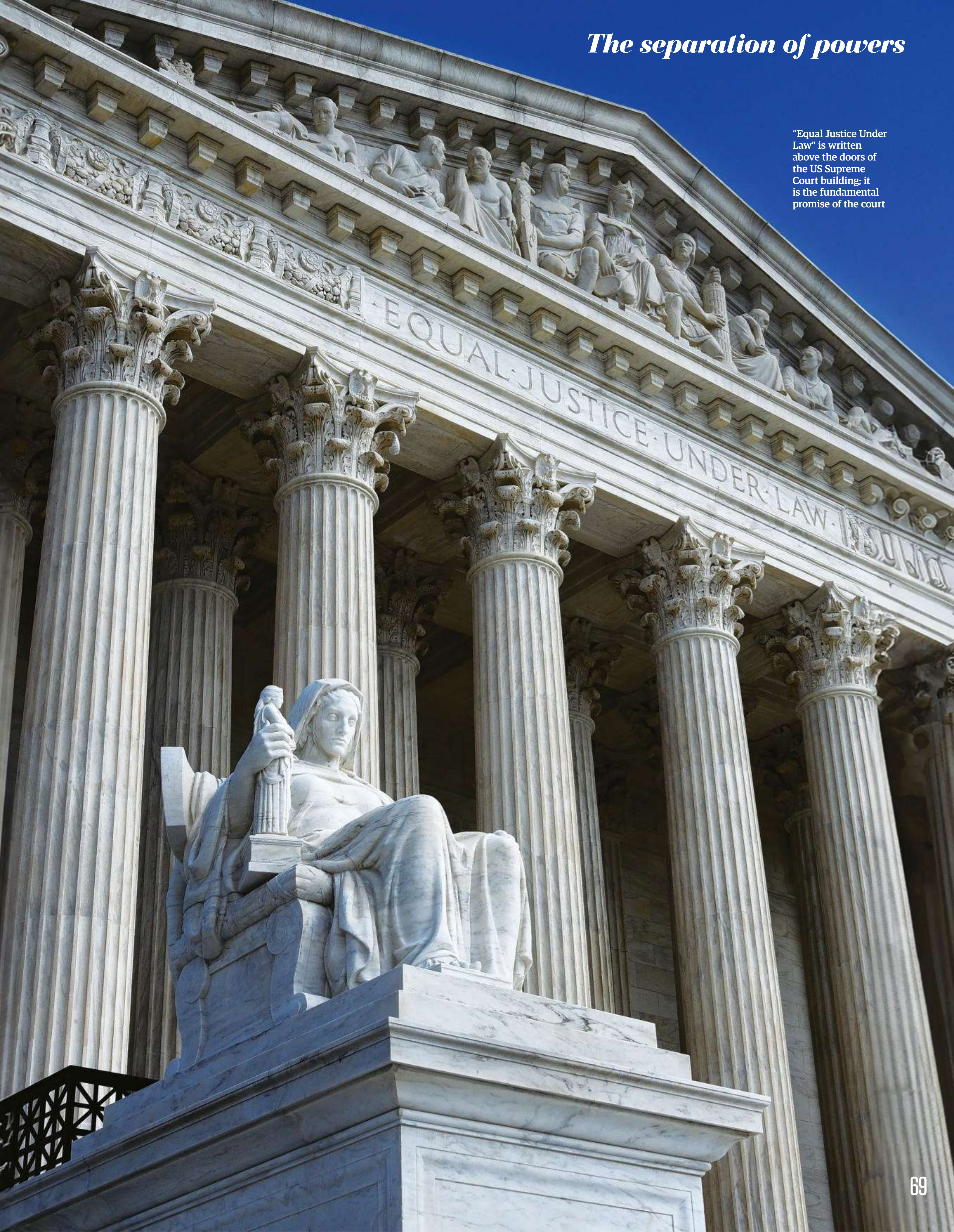

EQUAL·JUSTICE·UNDER·LAW·

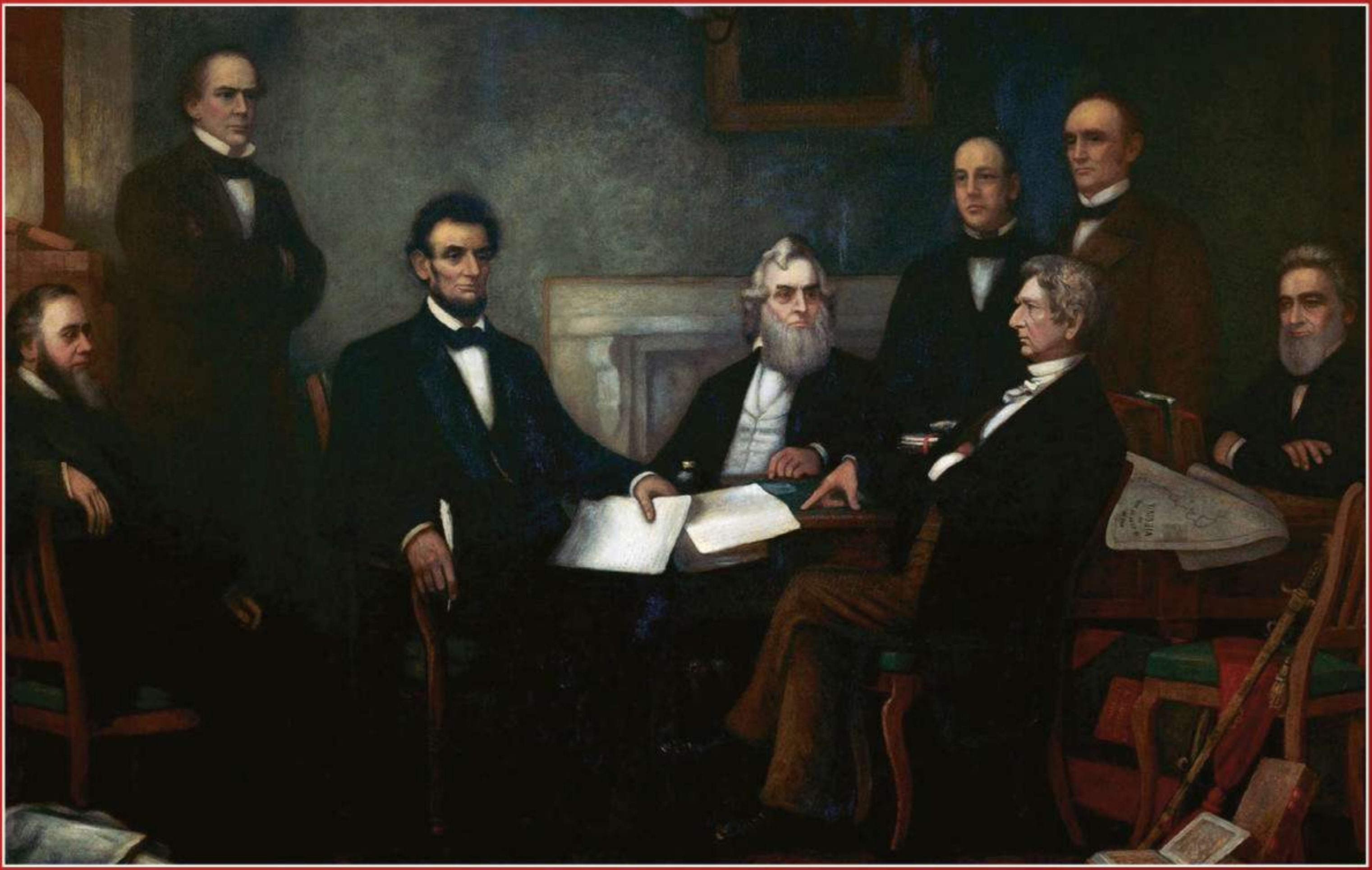
"Equal Justice Under Law" is written above the doors of the US Supreme Court building; it is the fundamental promise of the court

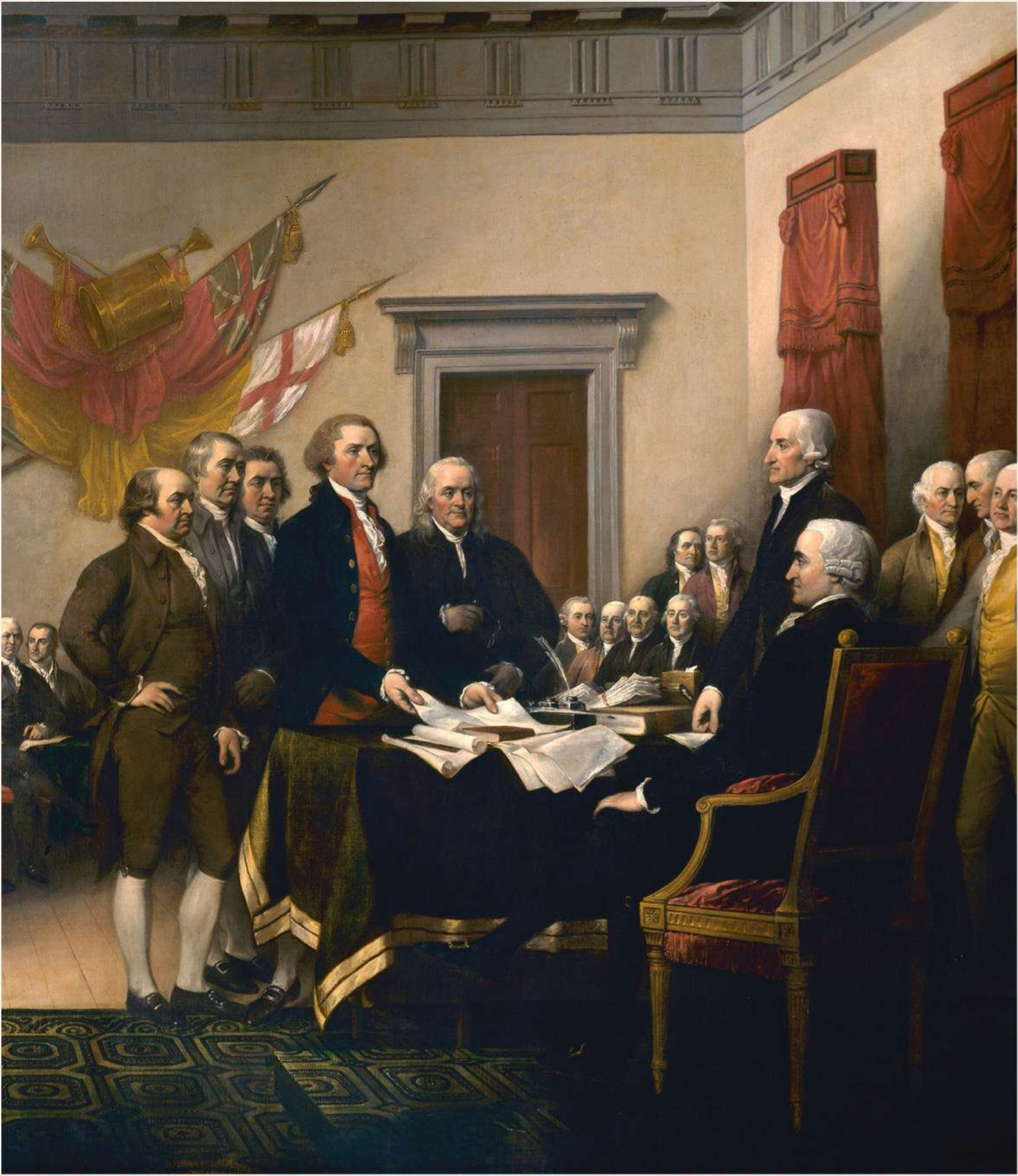
The Amendments

72 The Amendments in full

78 The Bill of Rights

86 The other 17





Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; -- the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; -- The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.] The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

AMENDMENT XIII

Section. 1.
Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section. 2.
Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV

Section. 1.
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to

any person within its jurisdiction the equal protection of the laws.

Section. 2.
Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section. 3.
No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section. 4.
The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section. 5.
The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

AMENDMENT XV

Section. 1.
The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude--

Section. 2.
The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such

State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.
This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII

Section. 1.
After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section. 2.
The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section. 3.
This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XIX

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX

Section. 1.
The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section. 2.
The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section. 3.
If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section. 4.
The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section. 5.
Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section. 6.
This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI

Section. 1.
The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section. 2.
The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section. 3.
This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII

Section. 1.
No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section. 2.
This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIII

Section. 1.
The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section. 2.
The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV

Section. 1.
The right of citizens of the United States to vote in any primary or other election for President or

Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section. 2.
The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV

Section. 1.
In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section. 2.
Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section. 3.
Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section. 4.
Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI

Section. 1.
The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section. 2.
The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVII

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

THE BILL OF RIGHTS

The first ten Amendments enshrined the rights of the people in the new United States and have shaped the nation we know today

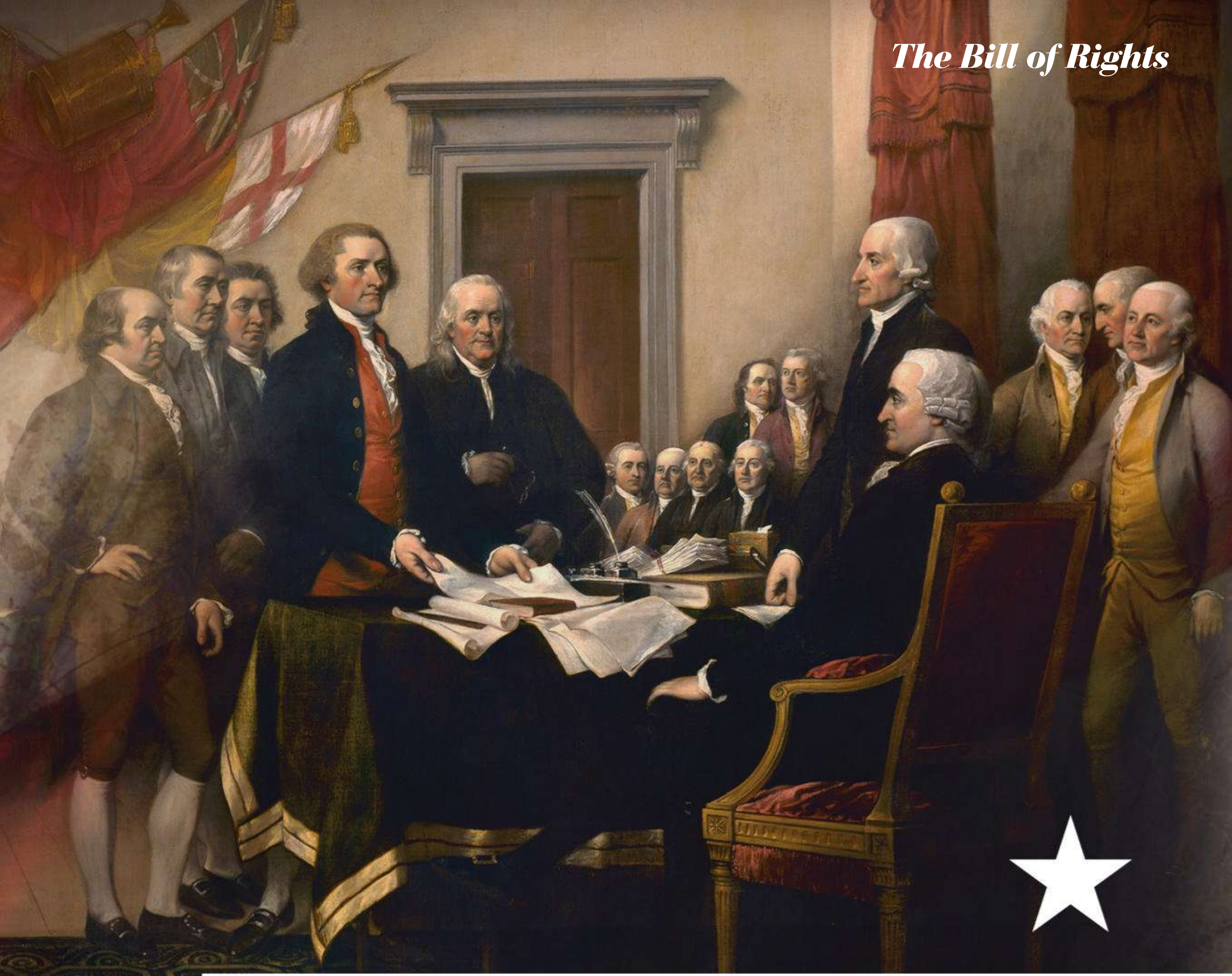
Written by Mark Dolan

The US Constitution was a landmark document, brought to fruition via a path paved with blood, sweat, tears… and constant, fierce disagreements. Its ratification did not bring an end to these discussions, but rather they led in turn to the creation of one of the most influential, controversial, and famous documents in the world. The Anti-Federalists were less than pleased with the Constitution as it stood, attacking its vagueness and lack of concrete protections of the rights of the people. They saw a constitution without such enshrinements as barely an improvement on the colonial British government they'd overthrown at such cost. Initially, the Federalists believed that any such concerns were suitably addressed in the state constitutions, and there was no need for strictures on a federal level.

One of the most staunch opponents to the Constitution as it was (ie, without a bill of rights) was George Mason. Not only did Mason refuse to sign the Constitution on this basis, but he penned a pamphlet that expounded his views and persuaded a significant portion of the American people to stand in opposition to the new government. Even Jefferson, perhaps the Anti-Federalist most in favour of the new government, was unequivocal in his attitude towards the importance of a bill of rights, writing to James Madison that such a document is "what the people are entitled to against every government on earth".

By late 1788, Madison – formally one of the most staunch opponents of the bill – had come around to the Anti-Federalists' way of thinking, even beginning to believe that a bill of rights would have a positive effect on the nation. Such was Madison's change of heart that he became the driving force for the amendments at a time when many of his Federalist peers were content to leave the issue of amendments on the back burner. In June 1789, Madison put forward 17 amendments to the US Senate for consideration, wasting no time or energy in working to convince his colleagues to pass them. He cited the importance of these amendments in securing votes from the public and pointed to the fact that, by passing his amendments, it could prevent their political opponents from introducing more radical alternatives.

The House of Representatives passed a joint resolution of 17 amendments based on Madison's proposal, which was then cut down to 12 by the Senate. In October 1789, after a joint House and Senate commission ironed out remaining disagreements, this bill of 12 amendments was sent out to the states by President Washington. By 15 December 1791, ten of the 12 amendments had been ratified by three-fourths of the states, officially creating the Bill of Rights as we know it. This process enshrined the series of rights that remain at the heart of the country today, and was fundamental in ensuring that the ideology of the American Revolution was crystallised into unassailable law.



THE FIRST AMENDMENT

The First Amendment is perhaps the most fundamental of all the clauses of the Bill of Rights. It protects freedoms of expression, including free speech, a free press, the freedom to protest and petition the government to make change, and freedom of religion and religious expression. It also states that the US Government can neither create a state religion nor favour one religion over others. This is what Jefferson referred to as the separation of church and state, and although this phrase does not appear in the Bill of Rights, it is the essence of the ruling.

The right to free speech protects people's right to express their views without fear of retribution from the government, and helps to guard against governmental tyranny and oppression. According to the Supreme Court, its central intention is to allow for "uninhibited, robust, and wide-open" debate on public issues. This right covers many actions, too, including famous examples of burning a flag or wearing a black armband to protest the Vietnam War, giving people the opportunity to criticise the government, though it excludes any speech or actions that incite violence.

While freedom of speech for individuals was a key concern, so was the freedom of the press. Long before the Revolution, the British sought to censor newspapers by banning any criticism of the Crown or colonial government from publication in its colonies.

As early as 1735, there was a court case over an independent New York newspaper heavily satirising the then Governor William Cosby, and so there was a strong focus on making sure a new US government would not be able to pursue a similar course of suppression of the press.

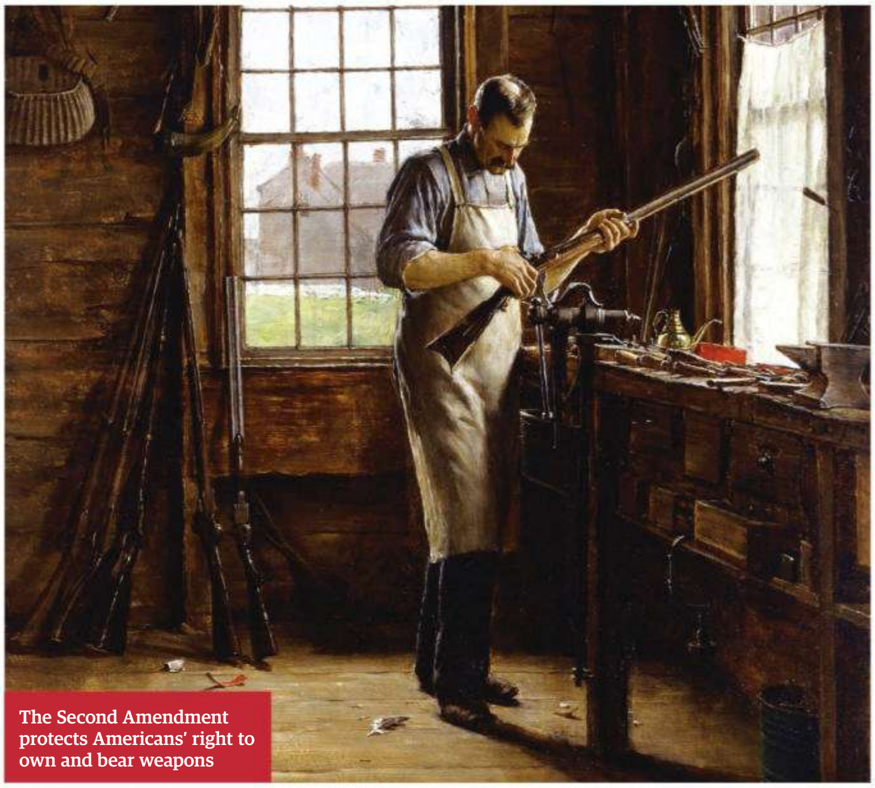
The creation of the United States came, of course, after the defeat of an oppressive system under which there were no rights to protest against the government, and so enshrining the right to protest was a major step. Under the First Amendment, people are permitted to come together to protest peacefully, without suffering interference from the government. Similarly, it also enshrined the right to petition. This, which has its precedents in the English Magna Carta (1215), means there's a pathway for people to address their grievances to a government representative, a move that both benefits the people, providing an outlet for frustrations with the government, and the government itself, which has the chance to address such concerns at an early stage.

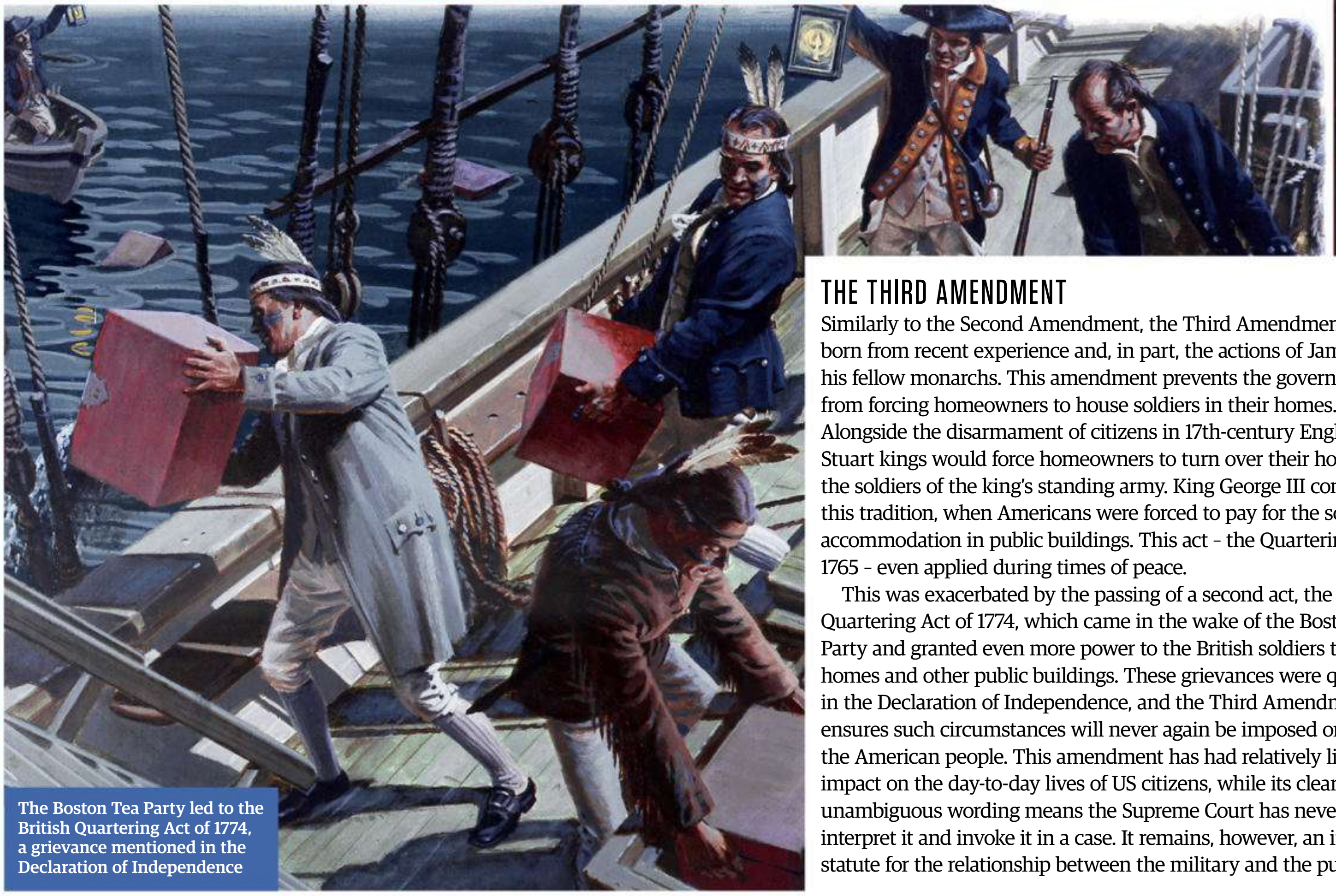
Many of the pilgrims who made the trip to the New World did so to escape the religious persecution they'd experienced in England. Groups such as Quakers, Episcopalians and Presbyterians all fled such dangers, making the enshrinement of religious freedom a very important part of the bill for the American people, composed then – as now – of a hugely diverse population.

THE SECOND AMENDMENT

The Second Amendment needs little introduction: it refers to the right of individuals to bear arms. It is, however, one of the least clear and most controversial of all ten amendments. There is disagreement among historians as to the exact intention of this clause. Some believe that the right to bear arms was included to erase the need for the government to have a standing army. Instead, citizens would be ready to form a militia whenever necessary. This is what Hamilton wrote in *The Federalist Papers*, but others have argued that the idea behind the clause was to have a check in place against a tyrannical government that had a standing army. In other words, the militia composed of armed citizens would be a deterrent against an oppressive government army.

The fear of having no personal protections against governmental violence had reasonable foundations. Various British monarchs had used widespread disarmament as a suppression tactic, particularly James II in the late-17th century. This had even led to the right to bear arms being included in the English Bill of Rights in 1689, more than a century before the US version. King George III had attempted to use similar tactics in the early years of the American Revolution, so not only was this danger forefront in the minds of the Founding Fathers, but it was partially a continuation of this century-old right.


The Second Amendment protects Americans' right to own and bear weapons


The Boston Tea Party led to the British Quartering Act of 1774, a grievance mentioned in the Declaration of Independence

THE THIRD AMENDMENT

Similarly to the Second Amendment, the Third Amendment was born from recent experience and, in part, the actions of James II and his fellow monarchs. This amendment prevents the government from forcing homeowners to house soldiers in their homes. Alongside the disarmament of citizens in 17th-century England, the Stuart kings would force homeowners to turn over their homes to the soldiers of the king's standing army. King George III continued this tradition, when Americans were forced to pay for the soldiers' accommodation in public buildings. This act – the Quartering Act of 1765 – even applied during times of peace.

This was exacerbated by the passing of a second act, the Quartering Act of 1774, which came in the wake of the Boston Tea Party and granted even more power to the British soldiers to seize homes and other public buildings. These grievances were quoted in the Declaration of Independence, and the Third Amendment ensures such circumstances will never again be imposed on the American people. This amendment has had relatively little impact on the day-to-day lives of US citizens, while its clear and unambiguous wording means the Supreme Court has never had to interpret it and invoke it in a case. It remains, however, an important statute for the relationship between the military and the public.

THE FOURTH AMENDMENT

The Fourth Amendment was born from a desire to end the abuse of power of the British monarchy that saw British soldiers searching people's homes and person without justification and seizing possessions at will. The clause forbids "unreasonable" search and seizure, and clarifies the necessity of identifying probable cause in the issuing of a search warrant. The definition of a search has been altered according to interpretations of the Fourth Amendment, with the Supreme Court ruling that the installation of a wiretap without a warrant was a contravention of the amendment, adding the concept of a 'reasonable expectation of privacy' (see The Ninth Amendment). This interpretation means that any form of surveillance that violates this concept is to be understood as a 'search' according to the Fourth Amendment, and therefore a violation of someone's rights.

There has also been an Exclusionary Rule added, which was introduced to maintain the overall effectiveness of the Fourth Amendment. This states that any evidence obtained without a warrant is inadmissible in court, a pronouncement that is applied to state as well as federal courts.

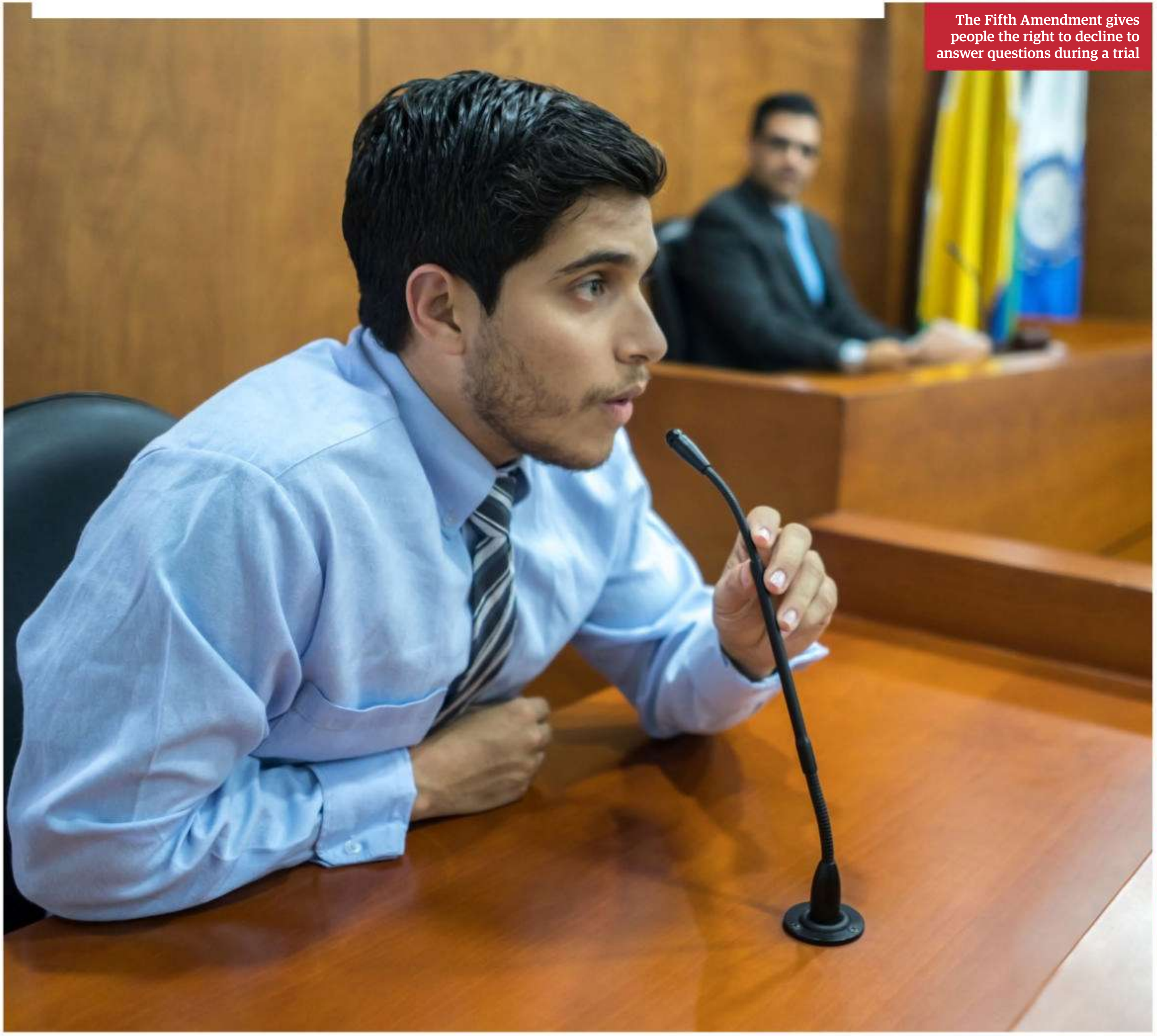
The Supreme Court has made rulings about new technology based on the Fourth Amendment

THE FIFTH AMENDMENT

The Fifth Amendment was a response to the unfair treatment that Americans had experienced under British colonial law, during which there were many abuses of power and little in the way of protections for the accused. It deals with the personal rights of an individual accused of a crime during legal proceedings and is referred to in the phrase 'pleading the fifth'. This is in reference to one of its clauses: that no person "shall be compelled... to be a witness to himself", and it permits the accused to decline to answer any question put to them regarding the case.

The amendment also includes four other protections: the right to indictment by a grand jury (preventing a charge based on too little evidence); protection against double jeopardy (not being tried or punished for the same crime twice); the right to due process (receiving no punishment or loss of "life, liberty or property" before undergoing fair legal process); and protection against the taking of property without fair compensation.

The impact of the Fifth Amendment on American society has been enormous, as these rights underpin the entire criminal proceedings process. Miranda rights – the set of rights that police must read upon arrest – also stem from the Fifth Amendment, and the self-incrimination of Ernesto Miranda under questioning when he had not been informed of his Fifth Amendment right to decline to answer (or his Sixth Amendment right to legal representation).



The Fifth Amendment gives people the right to decline to answer questions during a trial

Under the Sixth Amendment, all defendants have the right to legal counsel

THE SIXTH AMENDMENT

The Sixth Amendment also regards the rights of those accused of a crime. This amendment states that people have the right to a speedy public trial, the right to be informed of the nature and cause of the charges brought against them, the right to legal counsel, and the right to confront witnesses testifying against them. Without this ruling, people could be detained indefinitely according to the power of the state, and their ability to adequately defend themselves could be hindered. The right to a public trial by jury, too, is rooted in efforts to assuage potential corruption by the government and derives, as does the majority of the Sixth Amendment, from English Common Law.

The other side of the Sixth Amendment deals with the right defendants have to legal counsel. During the colonial era, there were many examples of people being accused of crimes and being left to navigate the legal processes of the time and suffering from the absence of expert help. Today, the right to an attorney is a central tenet of the legal process and is a part of the Miranda rights read out to all defendants at the point of arrest.

The final part of the Sixth Amendment, which states that defendants have the right to confront witnesses, was included to ensure fair process in the face of potentially incriminating testimony. This clause has evolved as technology has altered the reality of witness testimony, with the Supreme Court ruling that recorded testimony from a witness who cannot be cross-examined is inadmissible in court according to the Sixth Amendment.

> “WITHOUT THIS RULING, PEOPLE COULD BE DETAINED INDEFINITELY”

The Seventh Amendment ensures individuals have the right to a jury trial in civil cases

THE SEVENTH AMENDMENT

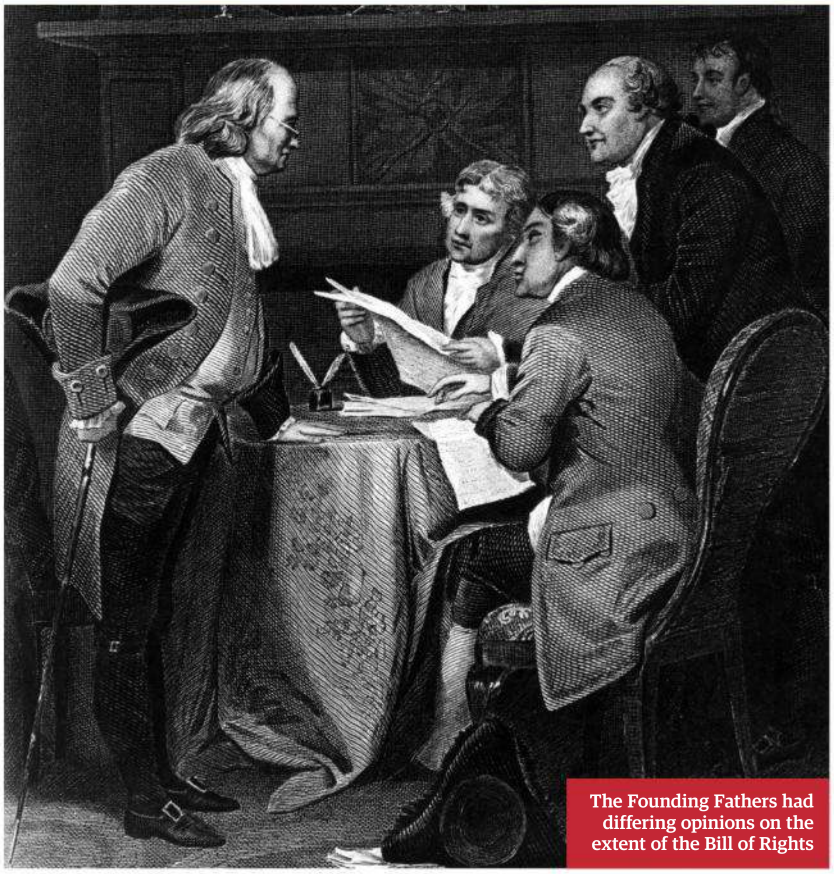
The Seventh Amendment is perhaps less well-known than some of the other amendments in the Bill of Rights, though it is still important and has shaped the development of the American legal system. The amendment states that even in civil cases, individuals have a right to a jury trial, if the value of money in question exceeds 20 dollars. Under this amendment, the jury, rather than an appointed judge, is responsible for establishing the facts of a case and its final decision cannot, except in certain cases (according to Common Law), be re-examined and changed by another court. The background of this amendment lies in the decision to preserve the process of jury trials as they were in the late 18th century, using a method that prevents the government from being able to deny any citizen a trial by jury.

THE EIGHTH AMENDMENT

The Eighth Amendment also deals with rights for those accused of crimes. This amendment, though, specifically addresses punishments, decreeing that neither excessive fines, excessive bail nor cruel and unusual punishment are permitted by federal law. The inclusion of legislation against both cruel and unusual punishment and excessive bail were directly adopted from the English Bill of Rights (1689).

Though the wording of this amendment is vague, its ideals of fairness, equity and proportionality have provided a basis for Supreme Court rulings over the last 200 years. Cruel and unusual punishments, for example, have been elucidated as covering degrading, barbaric and/or punishments disproportionate to the crime. They have also ruled on the importance of bail taking into account an individual's personal circumstances.

The Eighth Amendment further enshrines the rights of the accused

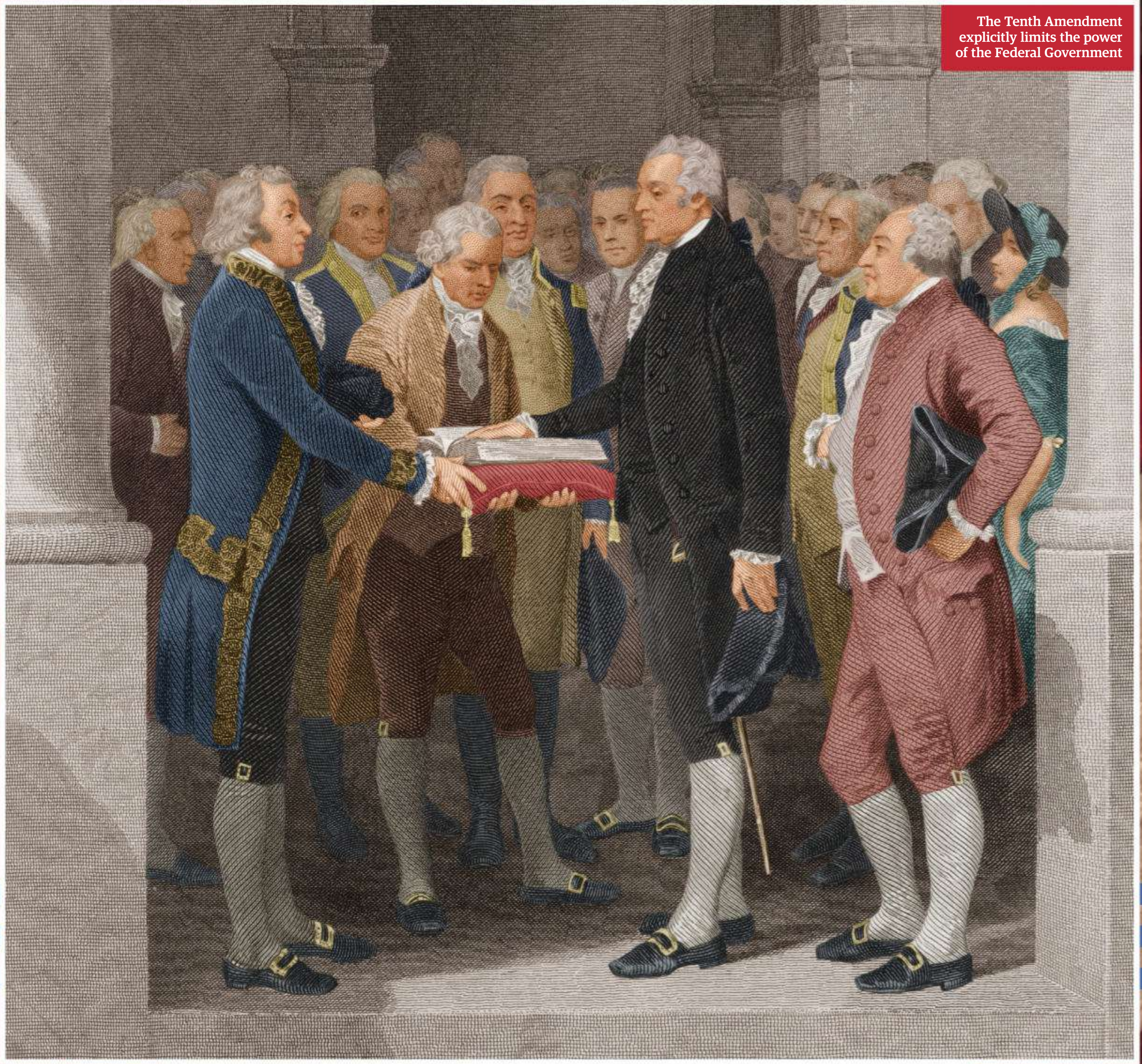


The Founding Fathers had differing opinions on the extent of the Bill of Rights

THE NINTH AMENDMENT

Ever pragmatic, the Founding Fathers recognised that the rights laid out in the Bill of Rights ('enumerated rights') may not present a comprehensive list of the rights of all of the people that need protection. To account for this, they included the Ninth Amendment, which legally recognises that some rights are not covered in the first eight amendments, but that they deserve to be subject to legal protections in the same way.

The Ninth Amendment emerged as a compromise between the Federalists and Anti-Federalists, oscillating between more restrictive federal laws or greater freedom for State governments. Its inclusion helped to make the Constitution more appealing to both sides, with a flexible allowance for further rights without detailed outlines of what these may cover. The interpretation of the Ninth Amendment has, unsurprisingly, remained controversial, though it has been invoked in some major Supreme Court rulings, including the recognition that there is a right to privacy for American citizens, despite no such reference existing in the Bill of Rights.



The Tenth Amendment explicitly limits the power of the Federal Government

THE TENTH AMENDMENT

The Tenth Amendment is like a companion clause to the Ninth. Where the latter explicitly gave room for extra movement in the protection of the rights of the people, the Tenth Amendment explains that the Federal Government holds no power that is not covered by the Constitution. In its single sentence, it clarifies that any powers not explicitly given to the Federal Government are to be given to either the states (pleasing the Anti-Federalists) or to the American people themselves. This enables State governments to pass their own laws on many issues, ranging from marriage laws to the provision of professional licenses, such as medical or legal licenses. The inclusion of both of the final two amendments of the Bill of Rights acted as curtailments on any intentions to circumnavigate the rights as laid out in the document; a kind of fail-safe against tyrannical governments. It also helped to mediate between the Federalists and Anti-Federalists' demands and requirements of what the founding charters of the country would do.

THE OTHER 17

Since the Bill of Rights, 17 more Amendments have been made to the US Constitution, each changing the country's history

Written by Mark Dolan

The Bill of Rights had already proven the need for amendments to the US Constitution, but in the two centuries since its ratification, Congress has sought to amend the Constitution numerous times. In fact, over 11,000 amendments have been put to Congress, of which 17 have been proposed by Congress to the states, subsequently ratified, and added to the Constitution. There have been various times in American history that have brought about massive social change that has then been enshrined in the Constitution. Perhaps the most significant was the Civil War, which saw the Reconstruction Era follow, bringing about three amendments that altered the rights of US citizens, particularly Black people, many newly freed from enslavement.

These Constitutional amendments have shaped how the country has progressed and how citizens' rights look today. Just one has been appealed, and while some have little effect on the day-to-day lives of the American people, others continue to be hugely influential in preventing abuses of rights and ensuring the freedoms that the country was founded on are not encroached upon.

> "THESE CONSTITUTIONAL AMENDMENTS HAVE SHAPED HOW THE COUNTRY HAS PROGRESSED"

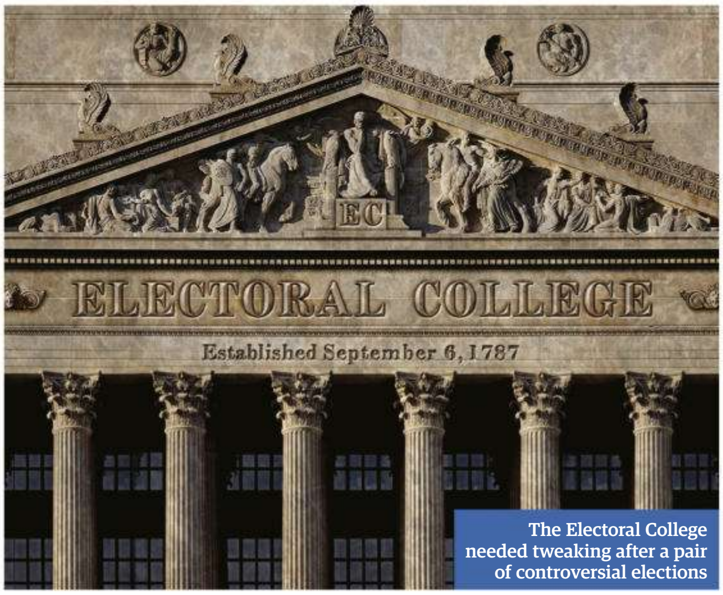
The 11th Amendment

Date proposed: 4 March 1794
Date ratified: 7 February 1795

The 11th Amendment was the first to be ratified after the Bill of Rights. It prohibits lawsuits against states from being brought to federal court. The Constitution outlines that the Supreme Court can rule on disputes between "a State and Citizens of another State… and between a State, or the Citizens thereof," but this was intended to refer only to suits brought by states, not to suits brought against states by citizens.

When, in 1793, the Supreme Court ruled that a citizen of South Carolina could sue the state of Georgia over Revolutionary War debt, both Federalists and Anti-Federalists agreed to an amendment that did not change the Constitution, but simply clarified its intention (the 11th Amendment is therefore an 'explanatory amendment').

The state of Georgia was at the heart of the 11th Amendment controversy



The Electoral College needed tweaking after a pair of controversial elections

The 12th Amendment

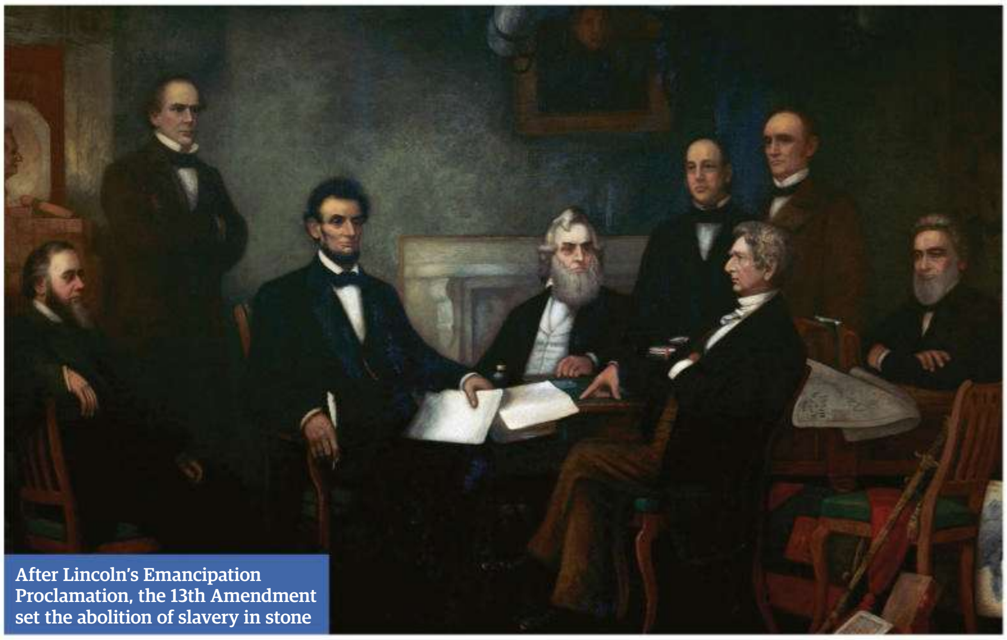
Date proposed: 9 December 1803
Date ratified: 15 June 1804

The establishment of the Electoral College was a compromise between two methods of electing a new president: election by popular vote or appointment by members of Congress. Under the Electoral College system, electors would cast two votes each, for the two men they viewed as the most suitable candidates, and whoever got the most votes (assuming they achieved a majority) would become president, with the runner-up being appointed vice president. After the controversial results of the 1796 and 1800 elections, it was recognised that the system was flawed and needed amending. The 12th Amendment did so. Under this amendment, two votes were still cast by each elector, but one was specifically for the office of president, and one for vice president. Every election since 1804 has been undertaken under the procedures set out in the 12th Amendment.

The 13th Amendment

Date proposed: 31 January 1865
Date ratified: 6 December 1865

The 13th Amendment is the first of the three Reconstruction Amendments, made in the wake of the Civil War. Following President Lincoln's Emancipation Proclamation of 1863, there was a move to ensure that the ending of slavery in America was taken out of the hands of subsequent, inherently fickle, political regimes by enshrining it as part of the Constitution. It was with the ratification of this amendment that slavery on American soil was truly ended, along with other forms of "involuntary servitude" that may shackle people to slavery in all but name.



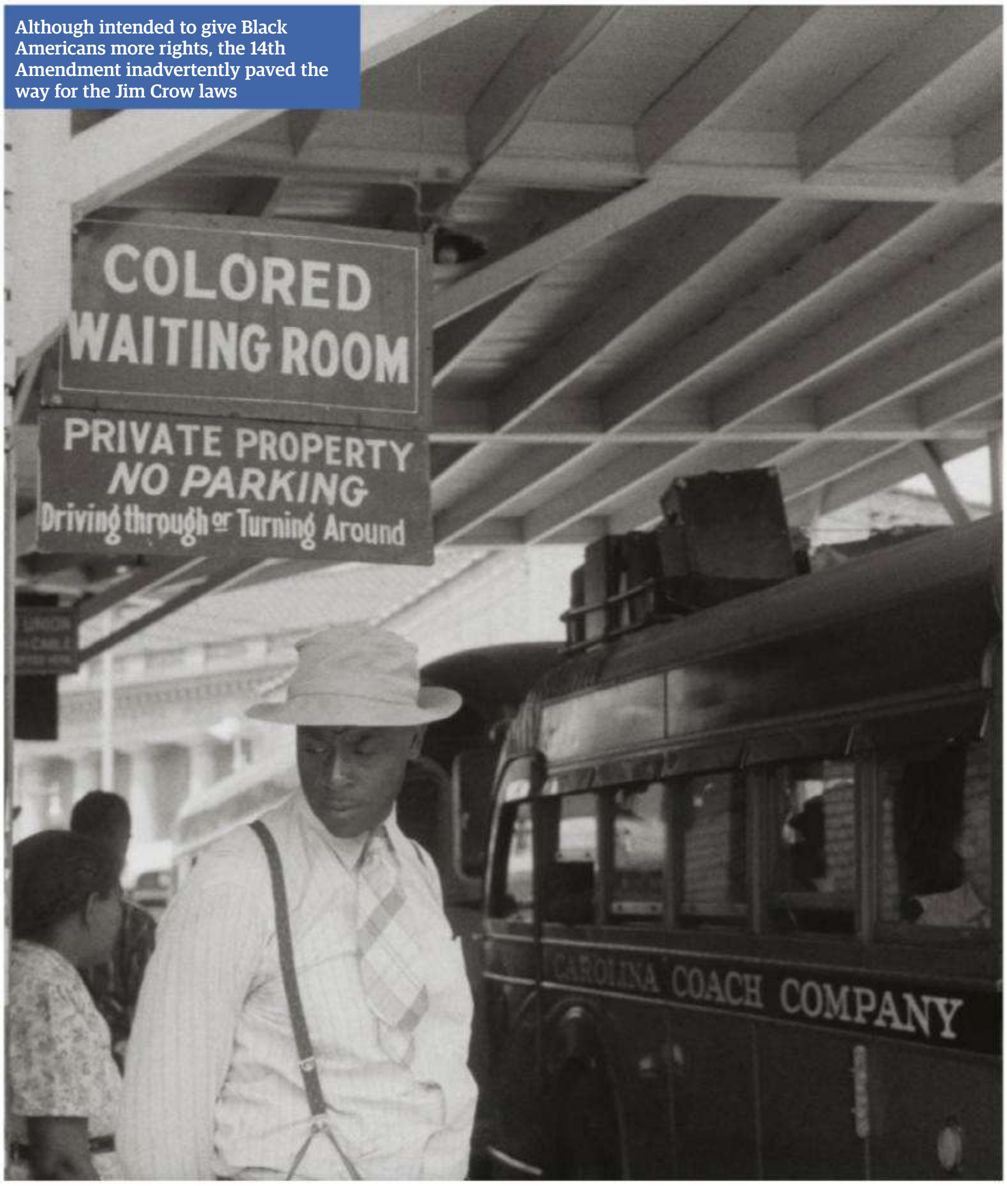
After Lincoln's Emancipation Proclamation, the 13th Amendment set the abolition of slavery in stone

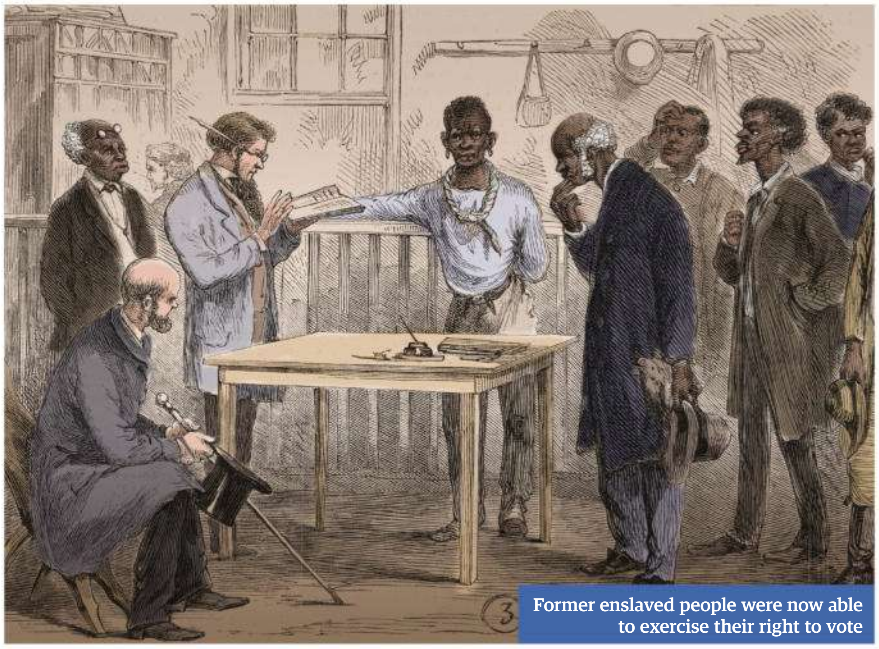
The 14th Amendment

Date proposed: 13 June 1866
Date ratified: 9 July 1868

The 14th Amendment, the second of the three Reconstruction Amendments, comprises five sections. The first - citizenship - states that every individual born or naturalised in the USA is a citizen and entitled to the rights thereof. This ensured that Black Americans were given the same rights as white Americans, overruling the Black Codes, which were racist policies passed in some Southern states to curtail the rights of former enslaved people. The second section - privileges and immunities - is similar, ruling that people have the same rights in every state. The third section - due process - extends the right to due process laid out in the Fifth Amendment, protecting these rights against interference from State governments.

The fourth section - equal protection - rules that all US citizens are entitled to equal protection of their rights. This was added to ensure that Black citizens would not suffer racial discrimination, but its interpretation has been controversial. In 1896, the Supreme Court ruled that "separate but equal" provisions (in this case, segregated train carriages) were not unconstitutional, paving the way for the Jim Crow laws. More recently, the amendment has been cited in the Supreme Court's decision that state laws separating same-sex and heterosexual marriage are unconstitutional. The final section - disqualification - was particular to its time, preventing Confederate officials from holding public office unless a majority vote in the House of Representatives expressly allows it.


Although intended to give Black Americans more rights, the 14th Amendment inadvertently paved the way for the Jim Crow laws
COLORED WAITING ROOM
PRIVATE PROPERTY NO PARKING Driving through or Turning Around
CAROLINA COACH COMPANY


Former enslaved people were now able to exercise their right to vote

★★★★★★★★★★★★★★★★★★★★★

The 15th Amendment

Date proposed: 26 February 1869
Date ratified: 3 February 1870

The last of the Reconstruction Amendments, the 15th Amendment states that no one can be denied the vote on the grounds of race, colour, or previous condition of servitude. Prior to this, there was no mention of the right to vote in the Constitution, as different states had different voting rules. Despite the clarity of this amendment, some states found ways to circumvent it through the implementation of conditions such as demonstration of literacy, the paying of poll taxes or other hurdles that prevented many impoverished Black people from exercising their vote. It was not until 1965 that the number of Black people able to vote grew significantly, when Congress passed the Voting Rights Act, allowing the Federal Government to put more robust measures in place to ensure universal suffrage.

Since the ratification of the 16th Amendment, income tax has become the Federal Government's primary revenue stream

The 16th Amendment

Date proposed: 2 July 1909
Date ratified: 3 February 1913

The 16th Amendment is straightforward: it allows the Federal Government to collect a nationwide income tax. Its genesis, though, is a little less clear-cut. The Constitution gave Congress the power to impose taxes, but split them between direct and indirect taxes. The Taxing Clause of Article I rules that any direct tax was subject to apportionment according to population, ie a state that had 10% of the country's population would be responsible for 10% of the total tax burden, regardless of wealth, while indirect taxes simply had to be uniform state-to-state. This made a direct tax virtually impossible to implement. When, in 1895, the Supreme Court ruled Congress's attempts to introduce a uniform income tax unconstitutional on the basis that it was a direct tax, they decided an amendment was necessary. Since its ratification, income tax has been a significant source of revenue for the Federal Government.

★★★★★★★ UNRATIFIED AMENDMENTS ★★★★★★★

These six amendments got close, but not close enough

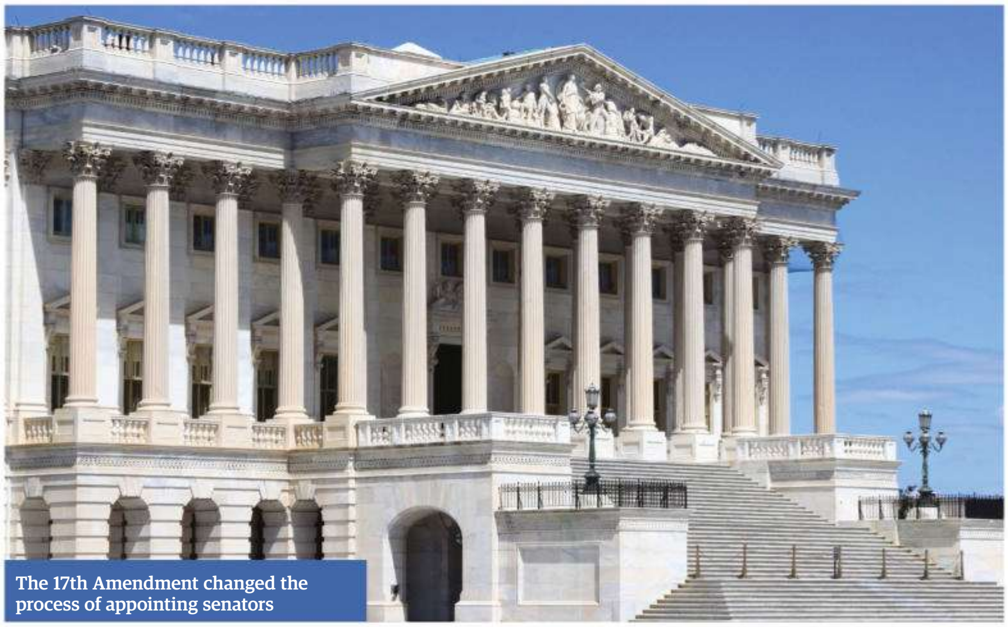
In addition to the 27 amendments that have become part of the Constitution, there are six that were passed by Congress but failed to achieve ratification by the required number of states. One of these was the very first amendment put forward, which outlined the number of representatives in the House. Had it been ratified, the country would now have more than 6,000 representatives! The next failed amendment built on a clause in the Constitution that forbade federal officeholders from accepting titles of nobility, broadening it to all citizens and ruling that if anyone did accept a title, or any other kind of emolument without the consent of Congress, they would be automatically stripped of their citizenship. The third attempted amendment came in the years before the Civil War. One effort to keep the Southern states happy was an amendment to prevent the Federal Government from outlawing slavery. It did not have the required support and failed to stop Southern states seceding from the Union. The fourth amendment aimed to end child labour, but the amendment failed to garner enough support from states for ratification. The fifth sought to guarantee equal rights on the basis of gender. After a few attempts, it was passed by Congress, but didn't get ratified by enough states in its seven-year ratification window.

The final attempted amendment sought to broaden the voting rights of DC residents, expanding the scope of the 23rd Amendment. However, it was only ratified by 16 states, meaning that DC residents still lack representation in Congress and full rights in the Electoral College.

The 17th Amendment

Date proposed: 13 May 1912
Date ratified: 8 April 1913

The 17th Amendment is the only ratified amendment that substantially changed the makeup of Congress. Ever since the Constitution had been ratified, US senators had been elected by State governments, with the rationale that allowing states to elect their own senators gave them a part in the formation of the Federal Government, preserving their agency. However, by the early 20th century – with more people gaining the right to vote – there was a growing feeling that the people should elect their own senators. The 17th Amendment brought this change into effect, and this remains the system that is used today.


The 17th Amendment changed the process of appointing senators

The Prohibition Era saw a rise of organised crime

★★★★★★★★★★★★★★★★

The 18th Amendment

Date proposed: 18 December 1917
Date ratified: 16 January 1919
Date repealed: 5 December 1933

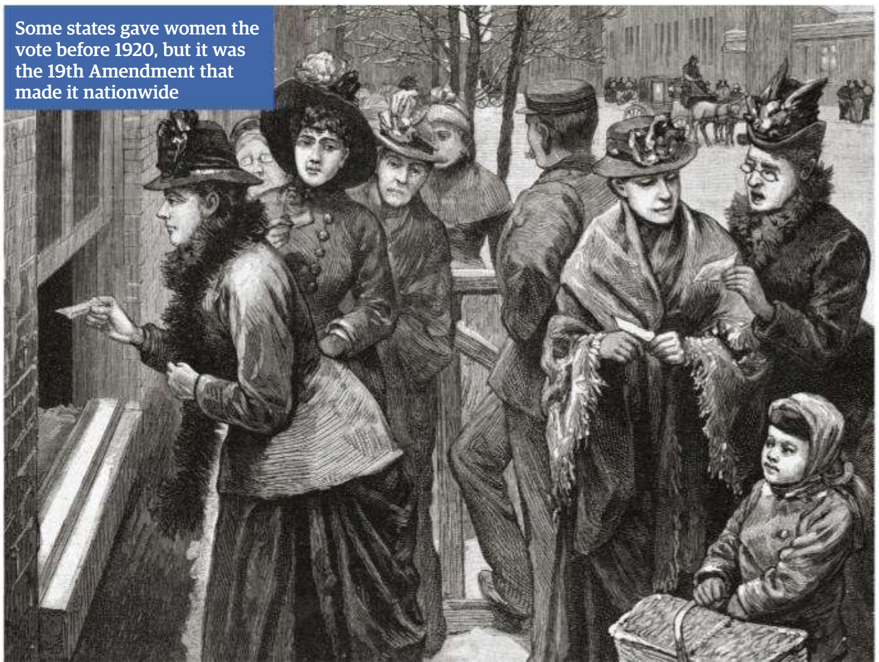
The 18th Amendment is unique in that it is the only amendment to date to have been repealed. It came from the Temperance Movement, which blamed alcohol for many of society's ills. The movement gathered enough support that Congress passed the 18th Amendment, completely banning the sale, import or manufacture of alcohol. The amendment did not have the desired effect, instead ushering in a period of increased organised crime. The amendment was duly repealed in 1933.

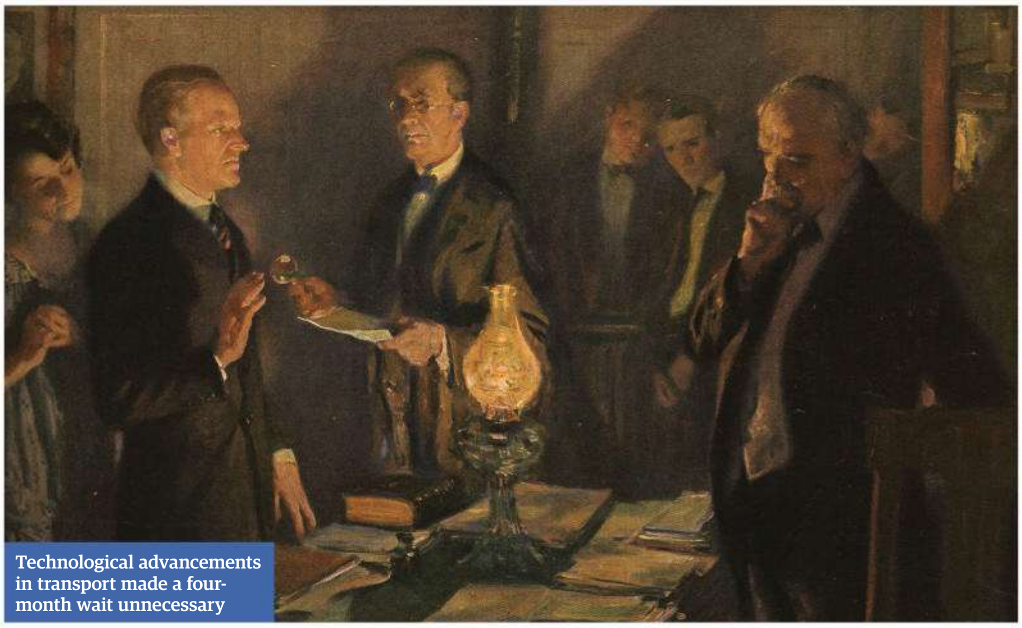
★★★★★★★★★★★★★★★★★★★★★

The 19th Amendment

Date proposed: 4 June 1919
Date ratified: 18 August 1920

Although the 19th Amendment was straightforward in meaning and application, the road to its adoption had been anything but. This was the amendment that finally afforded women the right to vote. There had been consistent campaigns since the early 19th century to get states to give women equal voting rights to men, but they had been overwhelmingly unsuccessful. Eventually, attention was turned to putting pressure on Congress rather than State governments, and this bore fruit in 1919 with the proposal of the 19th Amendment. Ratified in just over a year, it explicitly forbids withholding a citizen's right to vote on the basis of sex.


Some states gave women the vote before 1920, but it was the 19th Amendment that made it nationwide



Technological advancements in transport made a four-month wait unnecessary

The 20th Amendment ★★★

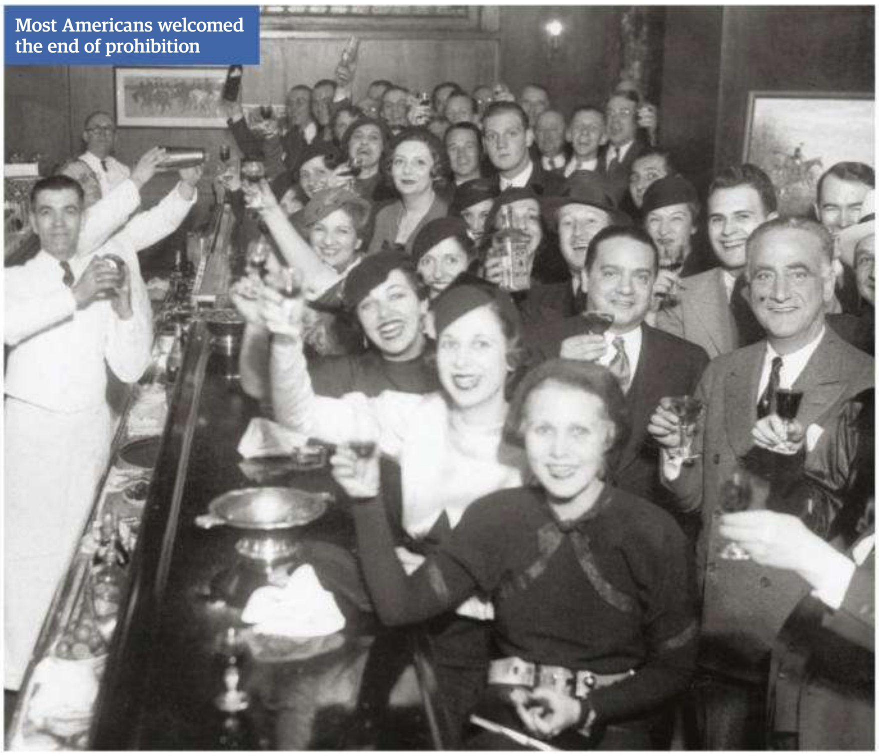
Date proposed: 2 March 1932
Date ratified: 23 January 1933

Possibly the quietest of all the amendments, the 20th Amendment altered the dates that a new president and Congress would assume their duties. Prior to 1933, presidents would take office four months after election, giving them time to sort their affairs and travel to the capital. By the 1930s, this was a much quicker process and didn't require four months of preparation time. In addition, it ended the odd timings for Congress sessions: new congressmen would previously start their first sessions in December, 13 months after election. The 20th Amendment did its job and has never been cited in a Supreme Court decision.

The 21st Amendment

Date proposed: 20 February 1933
Date ratified: 5 December 1933

The sole effect of the 21st Amendment was to repeal the 18th, which brought about the Prohibition era. With the ratification of this amendment, states were free to regulate the production, import and sale of alcohol as they saw fit. In some states, temperance was still popular, and while many people may have viewed prohibition as a noble experiment, they recognised that it was ultimately a failed one.



Most Americans welcomed the end of prohibition

Franklin D Roosevelt's four terms were the spark for the 22nd Amendment

The 22nd Amendment ★★★★★★★

Date proposed: 21 March 1947
Date ratified: 27 February 1951

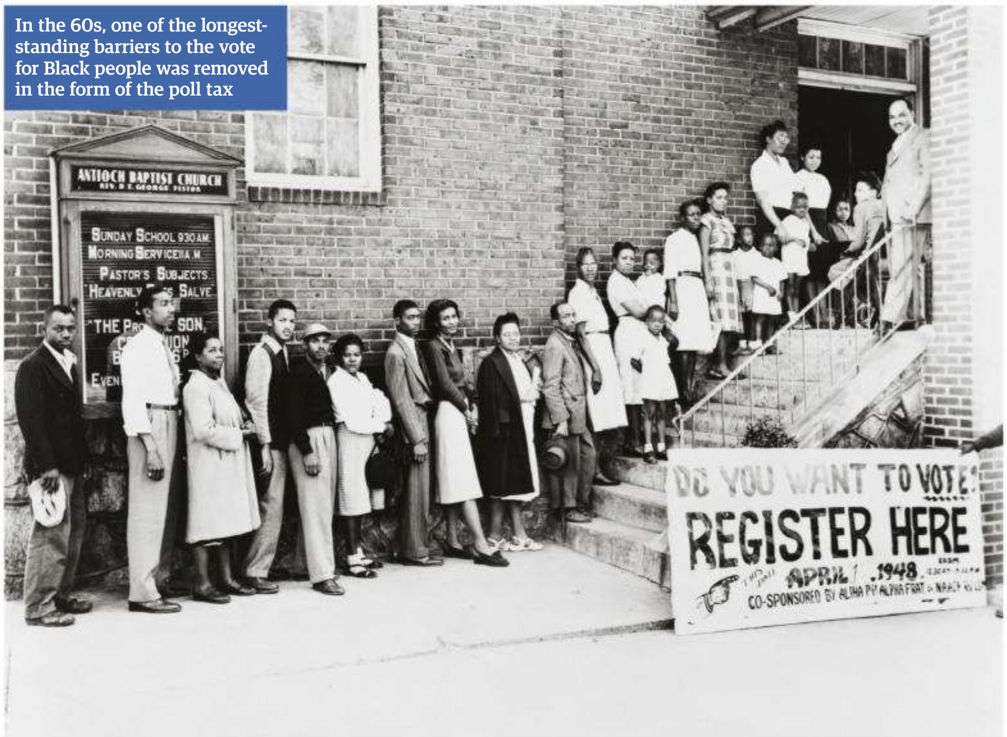
There was no presidential term limit in the Constitution, with the Founding Fathers disagreeing on the matter, but when George Washington stepped down after two terms in the role, a convention of serving for no more than two terms was set. This lasted until the Second World War, when exceptions were made and Franklin D Roosevelt served a total of four terms. Fears over tyranny after Roosevelt's convention-breaking time in power led to the proposal and ratification of the 22nd Amendment, which prevents any president from serving more than two terms in office. It remains in place as a safeguard against the kind of dictatorship witnessed in the war.

The 23rd Amendment

Date proposed: 16 June 1960
Date ratified: 29 March 1961

When drafting the Constitution, the Founding Fathers recognised that there was a need to have the seat of government not subject to the laws of any one state, as they were all independent and able to make their own laws. However, as a result of the creation of the District of Columbia (DC), its residents found themselves unable to vote in presidential elections. It was not until 1961 that this was rectified, with the ratification of the 23rd Amendment, giving residents of the District the right to vote in exactly the same way as their peers in the other states.

Residents of Washington DC had to wait a long time for the chance to vote in presidential elections



In the 60s, one of the longest-standing barriers to the vote for Black people was removed in the form of the poll tax

The 24th Amendment

Date proposed: 27 August 1962
Date ratified: 23 January 1964

After the ratification of the 15th Amendment, some Southern states imposed voting rules to try to prevent Black men from exercising their right to vote without explicitly banning them. One of the most widespread and effective was the poll tax, a financial barrier that proved unassailable to many, who still suffered oppression and poverty despite freedom. At the height of the civil rights movement, one of the movement's major aims was to achieve genuine parity in voting rights, regardless of race or ethnicity. Then-president, John F Kennedy, supported the move and pushed Congress to act accordingly. They did, and the 24th Amendment was ratified, ruling against the use of poll taxes to ensure that anyone, regardless of race, colour or financial situation, was able to cast their vote.

The 25th Amendment

Date proposed: 6 July 1965
Date ratified: 10 February 1967

The Constitution had no procedure laid out for various eventualities, including the death or incapacitation of a sitting president, the appointment of a new vice president, or the temporary disability of a president. In historic cases of a president dying in office, the vice president had taken office, but there was controversy over the extent of their powers and the process of appointing a replacement vice president. After the assassination of John F Kennedy in 1963, Congress moved quickly to ensure there were outlines for the presidential succession. The 25th Amendment laid out the protocol for; the death of a president (vice president takes office); appointment of a new vice president (nomination by the previous incumbent confirmed by majority votes in the House and Senate); temporary presidential disability; and if the vice president and cabinet believe the president incapable of fulfilling their duties, but the president disagrees.

PRESIDENT OF THE
The assassination of JFK led to the proposal of the 25th Amendment

The drafting of young men into the Vietnam War was a key factor in the lowering of the voting age

The 26th Amendment

Date proposed: 23 March 1971
Date ratified: 1 July 1971

The 26th Amendment is the last to deal with voting rights. It protects the right of people aged 18-20 to vote in all elections, whether federal, state or local. There had been a period of growing pressure on Congress to lower the voting age after thousands of 18-20 year olds were drafted for the Vietnam War, on the basis that if they were mature enough to be drafted, then surely they were equally mature enough for the vote. Its ratification – the shortest ratification period of all the amendments – stopped the violent protests that had begun to erupt.

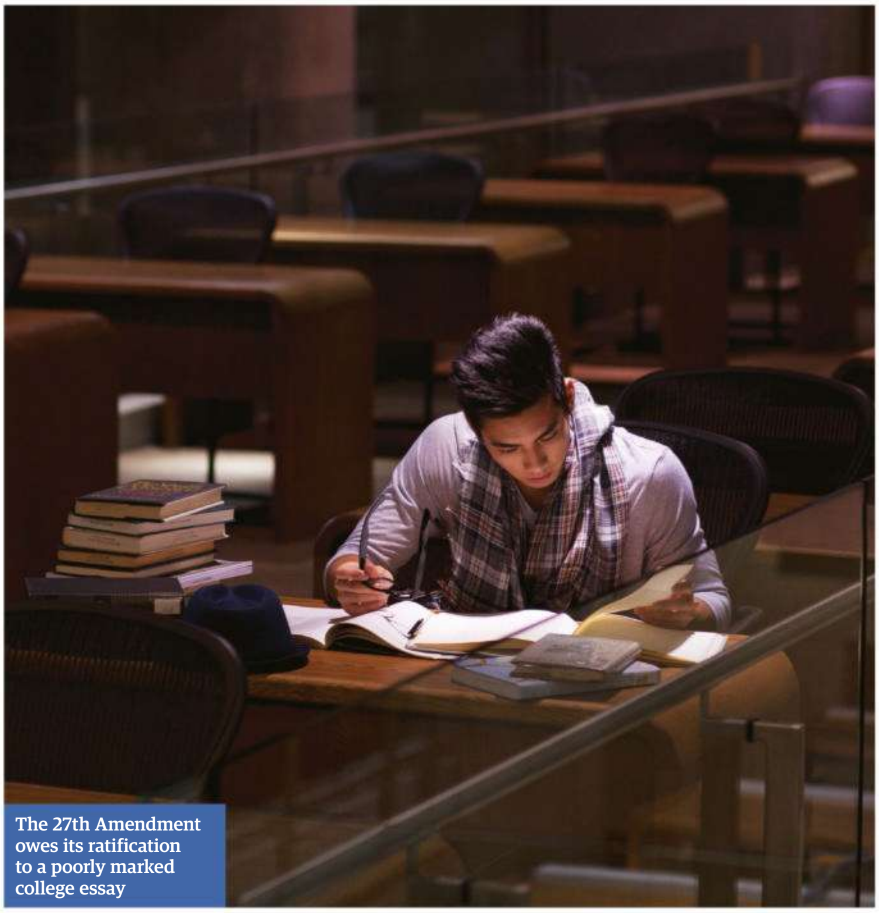
> “THERE HAD BEEN GROWING PRESSURE TO LOWER THE VOTING AGE AFTER THOUSANDS OF 18-20 YEAR OLDS WERE DRAFTED FOR THE VIETNAM WAR”

The 27th Amendment

Date proposed: 25 September 1789
Date ratified: 7 May 1992

The 27th Amendment limits changes to the salaries of members of Congress being made before an election. A proposed change to pay cannot take effect until there has been a public election, giving the public the chance to vote out the offending representative if they do not agree with the salary change. It's a fairly straightforward (and widely popular) amendment with a very strange history. It was first proposed by James Madison in 1789 as part of what would become the Bill of Rights, but did not achieve ratification by the requisite three-quarters of the states.

Almost 200 years later, in 1982, a college student in Texas called Gregory Watson was assigned an essay on government process. He realised that there was no time limit set for the ratification of Madison's proposed amendments, passed by the House in 1789, and argued that the congressional pay amendment could technically still be ratified. His professor was unimpressed and awarded him a C. Watson, believing this grade was not reflective of his paper, went over the professor's head and began writing to senators across the country. His campaign coincided with a period of discontent towards Congress and the exorbitant salaries of its members and picked up steam. By 1992, 38 states – the number needed for full ratification – had ratified it, and it was officially declared part of the US Constitution.



The 27th Amendment owes its ratification to a poorly marked college essay

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Legacy and limitations

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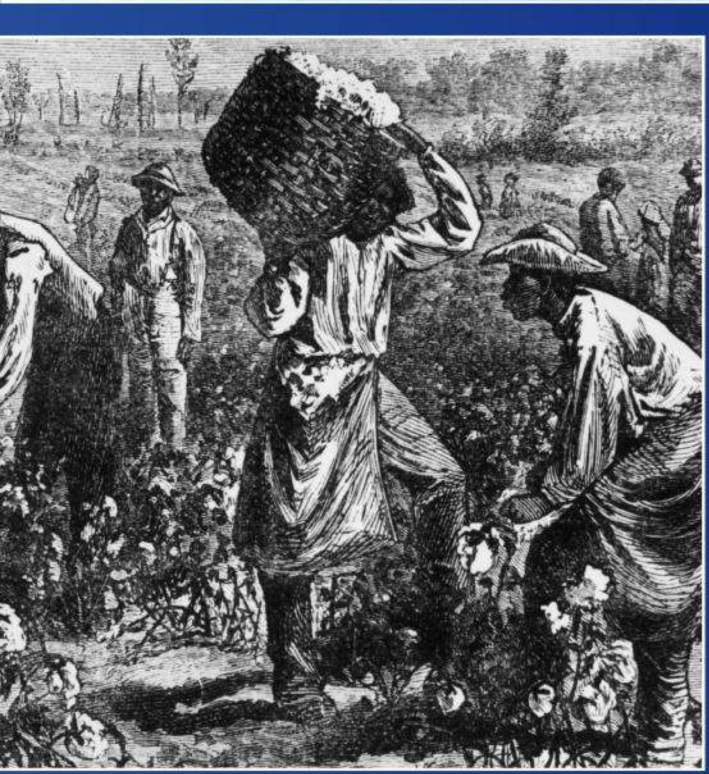


VOTES
FOR
WOMEN

BEHIND THE FAÇADE

INSIDE THE US CAPITOL

Explore the building that is a symbol of the American people

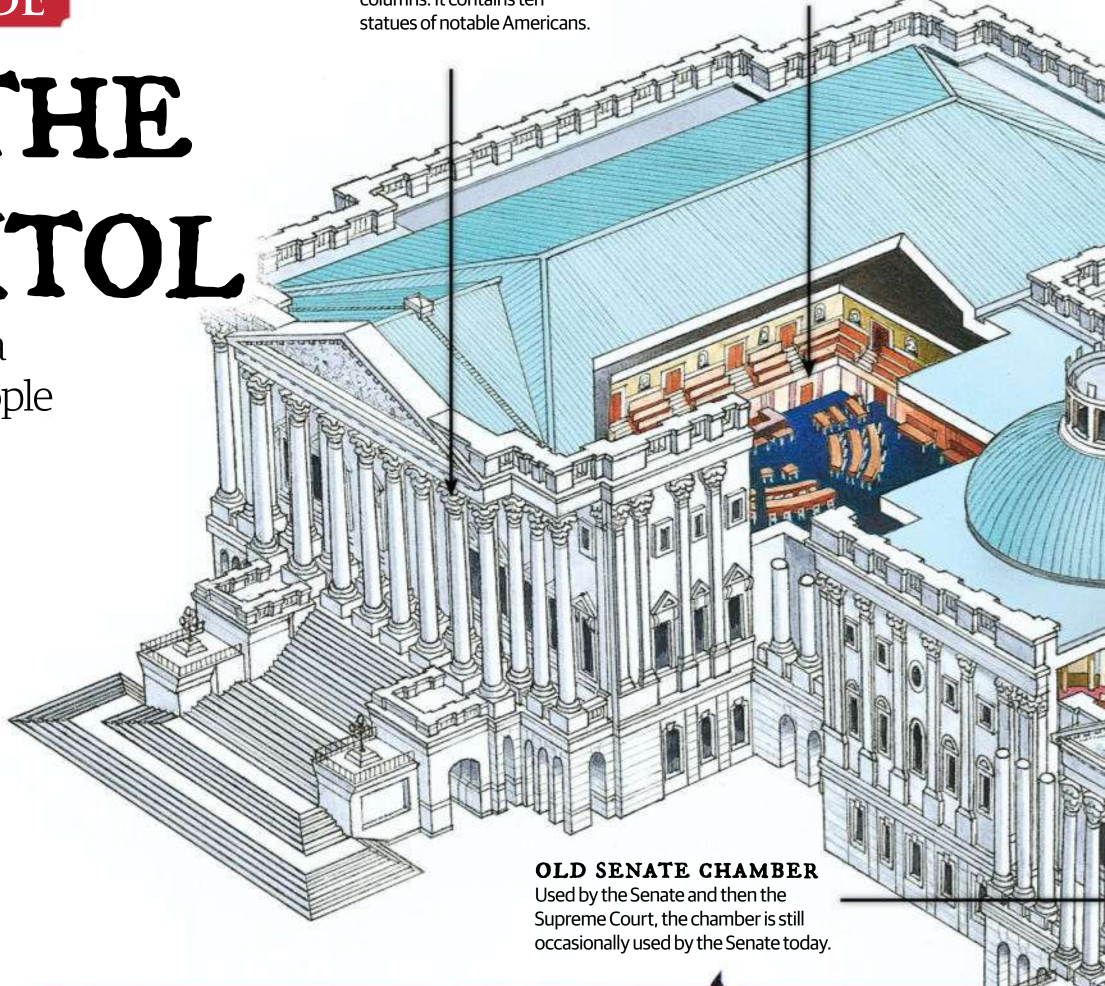
Written by Tim Hopkinson-Ball

The meeting place of the United States legislature, the Capitol is one of America's most recognised buildings. Construction began on 18 September 1793 when George Washington laid the cornerstone. Building was swift and, in November 1800, the US Congress met in the first completed portion: the north wing. By the 1850s, major extensions to the north and south ends of the Capitol were authorised because of America's westward expansion and the resultant growth of Congress. In 1855, the old dome was considered too small and so the iconic dome which tops the building today was designed and installed, drawing inspiration from St Paul's Cathedral in London and St Peter's Basilica in Rome.

From its conception to completion, a number of materials have been used in the Capitol's construction. Built in the neoclassical style, the Capitol was first made of brick and sandstone. Only later did it take on its gleaming white appearance - the whole of the exterior and much of the interior being faced with white marble. The dome it's crowned with, however, is supported by cast iron and most of the more recent building projects have been constructed from more reasonable reinforced concrete.

The Visitor Center, which opened in 2008, is the most recent and possibly final addition to the US Capitol building. Covering an area of nearly 53,885 square metres (580,000 square feet), the Visitor Center is the largest building project in the Capitol's more than two-century history and is approximately three-quarters the size of the Capitol itself.

Due to its size, the entire facility was built underground so as not to detract from the appearance of the original building and the grounds designed by Frederick Law Olmsted in 1874. As well as a tourist attraction visited by millions every year, the US Capitol - like the Palace of Westminster in London - is a working office building and the centre of the world's largest democratic government.



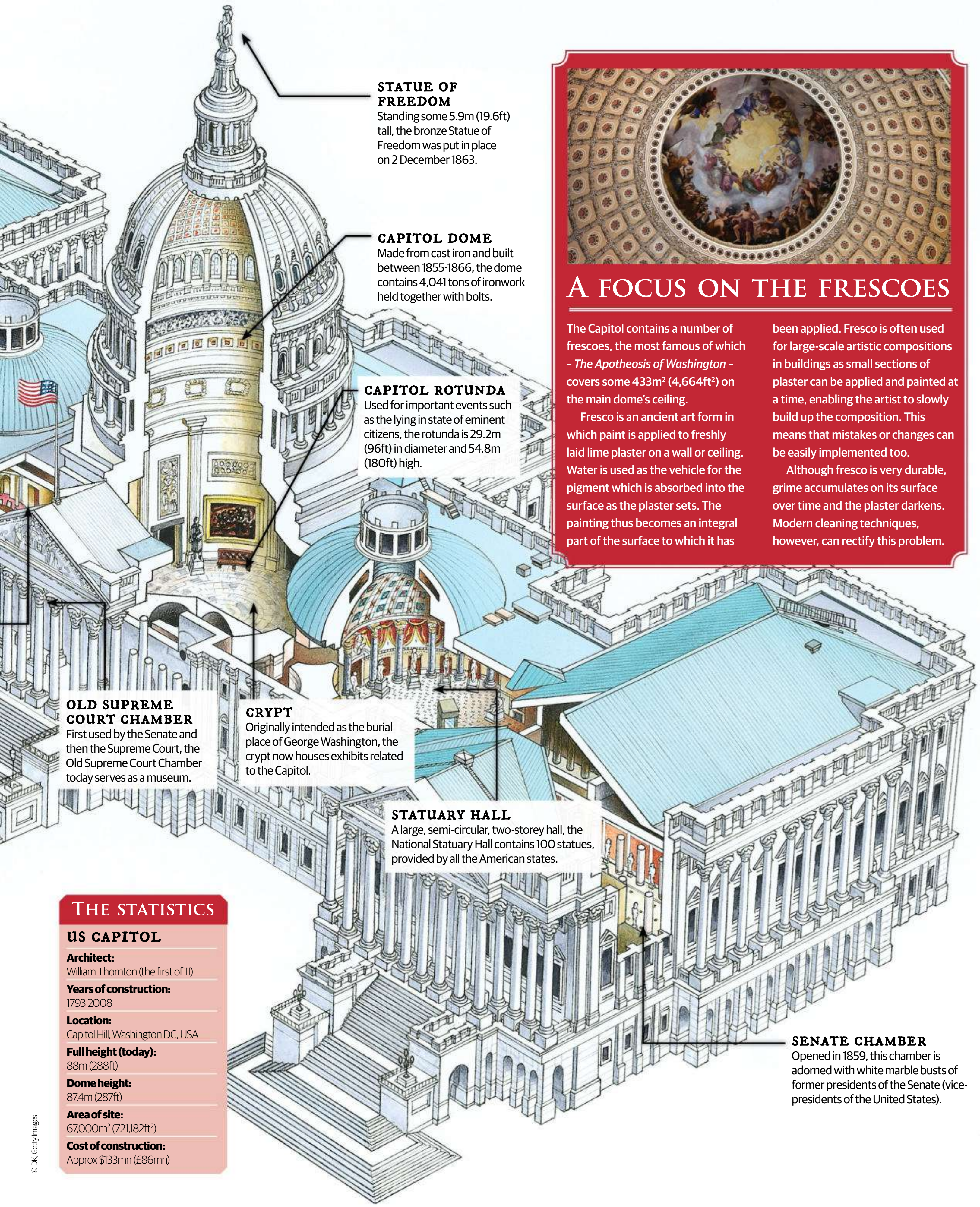
HALL OF COLUMNS
This 30.5m (100ft)-long hallway is lined with 28 fluted columns. It contains ten statues of notable Americans.

HOUSE CHAMBER
The Hall of the House of Representatives contains 448 seats and is decorated with 23 portraits of famous lawmakers.

OLD SENATE CHAMBER
Used by the Senate and then the Supreme Court, the chamber is still occasionally used by the Senate today.

THE CAPITOL & URBAN LEGEND

Not surprisingly, the US Capitol building has become the focus of urban legend and a source of creative inspiration for writers, conspiracy theorists and film directors alike. Not only has it been claimed that the number of columns and steps in various locations in the Capitol have symbolic meanings, but it is believed by some that the building conceals hidden passages and chambers. It is also widely thought that the Capitol served as a prison during the American Civil War, although this is not the case. The Capitol has frequently appeared in works of fiction too. For example, in Dan Brown's book *The Lost Symbol*, the idea that the Capitol's crypt originally featured an eternal flame tended by its own 'keeper' is introduced – a delightful conceit which many now cite as historical fact. It's also said to be the American landmark which has been most frequently blown up in Hollywood films, including 2013 movie *White House Down*.



STATUE OF FREEDOM
Standing some 5.9m (19.6ft) tall, the bronze Statue of Freedom was put in place on 2 December 1863.

CAPITOL DOME
Made from cast iron and built between 1855-1866, the dome contains 4,041 tons of ironwork held together with bolts.

CAPITOL ROTUNDA
Used for important events such as the lying in state of eminent citizens, the rotunda is 29.2m (96ft) in diameter and 54.8m (180ft) high.

OLD SUPREME COURT CHAMBER
First used by the Senate and then the Supreme Court, the Old Supreme Court Chamber today serves as a museum.

CRYPT
Originally intended as the burial place of George Washington, the crypt now houses exhibits related to the Capitol.

STATUARY HALL
A large, semi-circular, two-storey hall, the National Statuary Hall contains 100 statues, provided by all the American states.

SENATE CHAMBER
Opened in 1859, this chamber is adorned with white marble busts of former presidents of the Senate (vice-presidents of the United States).

A FOCUS ON THE FRESCOES

The Capitol contains a number of frescoes, the most famous of which – *The Apotheosis of Washington* – covers some 433m^2 (4,664ft^2) on the main dome's ceiling.

Fresco is an ancient art form in which paint is applied to freshly laid lime plaster on a wall or ceiling. Water is used as the vehicle for the pigment which is absorbed into the surface as the plaster sets. The painting thus becomes an integral part of the surface to which it has been applied. Fresco is often used for large-scale artistic compositions in buildings as small sections of plaster can be applied and painted at a time, enabling the artist to slowly build up the composition. This means that mistakes or changes can be easily implemented too.

Although fresco is very durable, grime accumulates on its surface over time and the plaster darkens. Modern cleaning techniques, however, can rectify this problem.

THE STATISTICS

US CAPITOL

Architect:
William Thornton (the first of 11)

Years of construction:
1793-2008

Location:
Capitol Hill, Washington DC, USA

Full height (today):
88m (288ft)

Dome height:
87.4m (287ft)

Area of site:
67,000m^2 (721,182ft^2)

Cost of construction:
Approx $133mn (£86mn)

© DK, Getty Images

A Citizen's Role

The United States is a democracy, meaning that all its citizens are welcome to participate. There are lots of ways they can do this, which have evolved from their origins in the US Constitution

Written by Catherine Curzon

When the Framers of the United States Constitution set to work in 1787, they created a document that established their country as a democratic republic. It is democratic for the simple reason that the people govern themselves; after all, it's no coincidence that the Constitution begins with the words "We the People". This is relevant to its status as a republic too, because the power of the government is derived from the citizens.

The Constitution gives American citizens a number of democratic rights that cannot be taken from them. These include the right to free speech; to assemble and protest peacefully; to worship as they choose; to enjoy a free press; and to have equal access to justice. It also gives them the right to vote, although universal suffrage was not included in the Constitution. That, as well as other changes, came later.

Experience Counts
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ROBINS
TAMPA CITY CO
DISTRICT 2
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www.ElectJoeRo
VOTE
STEPHEN
LYTLE
FOR TAMPA CITY COUNCIL
DAVID LOO
For CITY COUNCIL District 1
MOVING TAMPA FORWARD
VOTE

From town to city, from the state to the White House, American citizens elect those who govern

In practice this means that government at every level, from the most local to the federal, is elected by those same citizens. Elections are the easiest way for people to participate in politics at the most basic level, using the principle of 'one person one vote' to choose their representative. As well as voting for representatives at the federal and state level, people might also be called upon to vote in smaller local elections or on local issues. All conversations about a citizen's role in the democracy of the United States find their foundation in the ballot box.

The right to vote is governed by the Constitution and is protected by laws at federal and state level. The Constitution demands regular elections, ensuring that the American people can have a say in who governs them and can vote for change. Since its framing, constitutional amendments have been made that prohibit any restrictions on, or removal of, voting rights on account of reasons such as race, age, or sex. Today, most US citizens aged 18 or older have the right to vote in federal, state and local elections. While the Constitution did not originally state who could vote, it did

establish how the representatives of the people would be elected. The right to vote, however, would develop more slowly, against a backdrop of suppression and struggle. Expanding suffrage came with challenges, but was a true example of democracy in action as the right to vote came to include all citizens, rather than the small number that initially could cast their vote.

Of course, the role of a citizen in politics can extend far beyond simply using their vote at election time, and it isn't only on polling day that the American people get the opportunity to play their part in politics. If they wish, they can have an impact on which candidates win the nomination to stand for office. The Constitution gives each state the right to legislate the selection process and politicians must go through a

> “EXPANDING SUFFRAGE CAME WITH CHALLENGES, BUT WAS A TRUE EXAMPLE OF DEMOCRACY IN ACTION AS THE RIGHT TO VOTE CAME TO INCLUDE ALL CITIZENS”

Women had to fight to get the vote; they didn't achieve their aims until after World War I

VOTES FOR WOMEN

Roll Call
NUHW
National Union of Healthcare Workers
Courage California
SENATE
CANDIDATE
FORUM

American citizens can make their feelings known at the ballot box, or even stand for office themselves

C
VETERANS
BRING OUR GI'S HOME NOW!
VETERANS FOR PEACE
TIME

The Constitution gives Americans the right to peaceful protest and they have traditionally exercised it through the years

In Albany, New York, and across America, the electors of the electoral college cast their vote for president in the wake of the state election results

number of stages including caucus, conventions and state primaries to choose who will represent the state in Congress. These elected representatives then become the electors who will decide the identity of their respective party's presidential candidate. Prospective presidential candidates must also go through a complex process to convince their party that they should become the single candidate for the job. This is known as 'winnowing' and includes yet more primaries, caucuses and conventions. It is a complicated and time-consuming process and, as in many things, can differ from state to state.

Even though not every citizen would want to be president, all are theoretically able to seek nomination. If this feels like too lofty an ambition, those seeking to become more involved in politics can stand for office at a number of levels, from local to state to federal. They could stand for election to a relatively low-level position that has a great local impact, such as a school board or similar, or perhaps run for a seat on the county council or even campaign to win the office of mayor for their locality. At a more ambitious level, citizens can run as candidates for the position of state governor or a seat in Congress. These don't have to be career politicians either; with local and state government having such an impact on the lives of the people who elect officials, a candidate might run on a single issue that is of particular local importance, challenging more seasoned party-political animals.

Should a citizen wish to make their point on an issue without standing for office, they might consider joining a pressure group or even putting forward issues for a referendum. The process of initiatives and referendums enable members of the American public to place legislation on the ballot for a referendum and thereby either set the ball rolling on new legislation, or challenge the status quo. These powers are enshrined in many state constitutions and were a response to the growing power of parties and political heavyweights. These are an example of direct democracy but they are limited in their scope; currently, such referendums can only be called for at state level and there is no corresponding mechanism for requesting a referendum at the federal level.

If an individual or group feels that a matter needs to move beyond the local level and attract the attention of central government, citizens can resort to a process known as lobbying. Lobbying takes place at every level of government and is carried out by lobbyists, usually paid specialists who are hired by groups or individuals who wish to influence policy. These lobbyists then contact government officials directly in order to represent the interests of their client. Lobbyists often have existing relationships with officials and enjoy a level of access with policymakers that citizens would not be able to achieve. Lobbysists even lobby on behalf of different levels of government, allowing State government to lobby Federal Government, for instance.

UNIVERSAL SUFFRAGE

The Constitution did not give everyone the vote; more than a century would pass until all citizens enjoyed that right

Before 1776, women had the right to vote in several colonies of what would become the United States. By 1807, however, every single state constitution had taken that right away. The fight for women's suffrage was long and controversial and was rejected by the US Supreme Court itself, but campaigners refused to be silenced. As decades passed, a few new states began to grant women the vote, but though the right was far from widespread, campaigners kept up their struggle. In the 1870s proposals were introduced to Congress that would give women the vote, but these were unsuccessful. It wasn't until women joined the wider workforce in World War I that it was finally decided that they should be rewarded for their efforts with the vote. The Nineteenth Amendment was adopted in 1920 and 26 million American women were added to the electorate in time for the US presidential election that year.

It would be almost half a century before Black citizens of the USA were given universal suffrage. Though they had been theoretically equal under law since 1870, this was often far from the case in practice, with rights frequently infringed and denied, sometimes brutally. While the Fifteenth Amendment of 1870 supposedly gave all men the right to vote, the reality was very different and Black people who turned out to vote could face intimidation and even violence. Thanks to the tireless protests and work of generations of activists, the Voting Rights Act of 1965 guaranteed the right to vote for Black Americans, bringing universal suffrage at last.

I MATTER. YOU MATTER. WE MATTER.
BLACK VOTERS MATTER
BlackVotersMatterFund.org

Today, Black voters remember the struggle of those who fought against prejudice and oppression to win the vote

The Electoral College

The method of voting for the president and vice president is laid out in the Constitution, but it is not without its critics

The electoral college is the group of electors who come together every four years to vote for the president and vice president of the USA. The presidential election is the only one that isn't decided by the popular vote and the electoral college system was chosen by the Framers of the Constitution for practical reasons. In 1787, no effective and realistic strategy existed for arranging a national vote of such size.

This electoral college process is set down in Article II. Each state appoints 'electors' according to its own legislature and they then control a number of votes that reflects the size of the electorate. This means that each state has its own number of votes, rather than them being uniform. Once the people have voted, the presidential candidate of whichever party has won that state then receives the total votes of the electoral college. Whether a party claims the victory by 90% of votes or less than 1% makes no difference – it will still receive the electoral college votes.

While electors can theoretically vote for their preferred candidate rather than for the party that wins their state, this is virtually unheard of in practice. These electors becomes known as 'faithless' and can face prosecution in some states.

Critics have argued that the electoral college process means that it is possible to win the most votes from the electorate nationwide, yet still lose the election. This happened three times in the 19th century and twice in this century, firstly when Al Gore was defeated by George W Bush, despite winning the popular vote by more than half a million, and second when Donald Trump beat Hillary Clinton despite her receiving nearly three million more popular votes.

President
312
Donald J. Trump
270 to win
226
Kamala Harris

The electoral college has its critics, but it remains the method in which America chooses its commander-in-chief

However, a citizen doesn't have to resort to hiring a lobbyist to make their case heard. Instead they can resort to outside, or grassroots lobbying, in which local interest groups mobilise citizens to apply pressure on the people who make the policies. With the increasing popularity of social media, grassroots lobbying has grown in both size and influence as people take to their social channels to raise awareness of issues and directly target officials and others who hold sway.

The act of lobbying by large organisations and extremely wealthy special interest groups via expensive professional advocates has led to cynicism around the practice, and whether it only serves those who can afford it. However, lobbying is a vital element of US politics and is subject to complex rules and regulations, breach of which can become a criminal matter.

Both the right to a vote and the matter of lobbying can be found in the Constitution. In addition to protecting the right to free speech, the Constitution also allows for factions with special interests to compete, in order that all voices be heard before a decision is made. What the Framers of the Constitution didn't count on were the professional lobbyists, who can assure access to the highest levels of Federal Government for a group or individual if the price is right; even in a democracy, money can tip the balance. Some lobbyists do act on a pro bono basis, however, meaning that no money changes hands and that these lobbyists work unpaid to raise issues in the public interest.

At over two centuries old, the United States Constitution has undergone amendments and interpretation to ensure that its democratic ideals are both applicable and equitable in the modern era. However, at its heart it remains the basis of the democratic republic that is the USA, ensuring that the citizens of America have a say not only in who governs them, but that they themselves can participate in politics by standing for office, raising issues for action either themselves or via the lobby process, or simply by using their vote.

The United States Constitution is the oldest and longest-standing written national constitution still in force and remains the foundation stone of American democracy. It was written by the people, for the people, and is as relevant today as ever, ensuring that the citizens of the US can make their voices heard in an ever-changing world.

America is a democratic republic, meaning that the choice of government is down to the will of the people

> “GRASSROOTS LOBBYING HAS GROWN IN SIZE AND INFLUENCE AS PEOPLE TAKE TO THEIR SOCIAL CHANNELS TO RAISE AWARENESS OF ISSUES AND DIRECTLY TARGET OFFICIALS”

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THE QUESTION OF SLAVERY

America's 'peculiar institution' was a contentious debating point as the Constitution was being framed

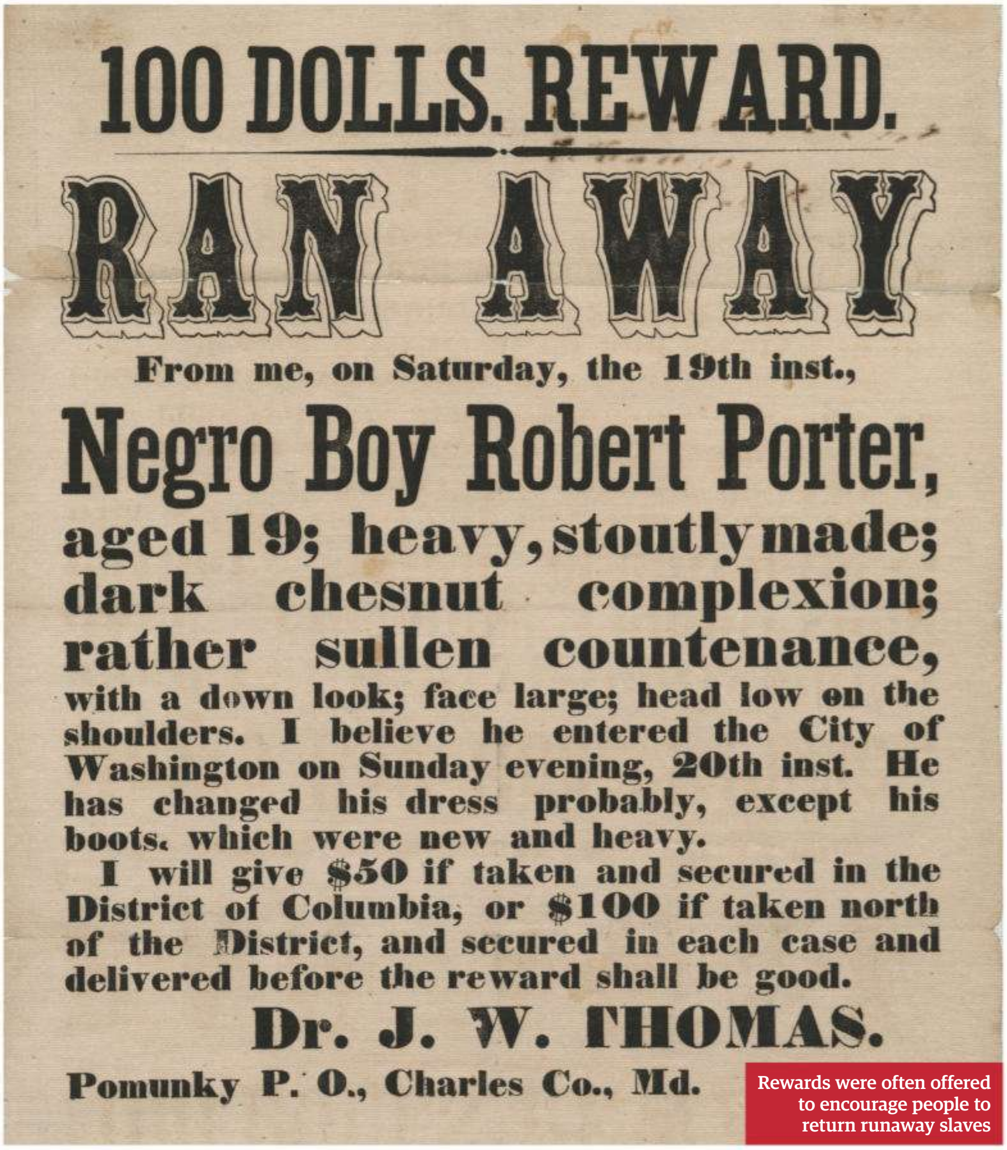
Written by David Smith

The word 'slave' did not appear in the original Constitution, but the issue of slavery was very much a talking point as the details were thrashed out. The very fact that the delegates could not bring themselves to include the word itself, while simultaneously voting in clauses that effectively protected the institution, demonstrates the conflicting emotions in play at the time.

Slavery had already proved problematic in the writing of the Declaration of Independence, in 1776. A phrase that mentioned carrying people into slavery (as a criticism of the rule of George III) was removed so as not to offend slaveholders. As the Constitution was being framed, the same concerns were evident - the slave-holding states needed to be kept on board if the Union was not to fall apart almost as soon as it had been created. At the same time, Northern states had to be assured that the new country wasn't built upon an acceptance of slavery.

The Constitution could therefore neither commit itself to abolishing slavery, nor to enshrining it as legal - either stance would have alienated too many people to be accepted. At the same time, the relationship between State and Federal Government meant that a decree from 'on high' was not possible - states needed to ratify any proposals.

The result was that the Constitution effectively took no position on slavery, and yet each side was still able to find elements that they liked and disliked. Most Americans understood that the Constitution accepted slavery, because it did not abolish it. At the same time, those in favour of slavery accepted that the Constitution made it possible for individual states to outlaw it and even gave the Federal Government



100 DOLLS. REWARD.

RAN AWAY

From me, on Saturday, the 19th inst.,

Negro Boy Robert Porter,

aged 19; heavy, stoutly made; dark chesnut complexion; rather sullen countenance, with a down look; face large; head low on the shoulders. I believe he entered the City of Washington on Sunday evening, 20th inst. He has changed his dress probably, except his boots. which were new and heavy.

I will give $50 if taken and secured in the District of Columbia, or $100 if taken north of the District, and secured in each case and delivered before the reward shall be good.

DR. J. W. THOMAS.

Pomunky P. O., Charles Co., Md.

Rewards were often offered to encourage people to return runaway slaves

★★★★★★★★★★★★★★★★★★★★★

"THE CONSTITUTION TOOK NO POSITION ON SLAVERY, YET EACH SIDE WAS STILL ABLE TO FIND ELEMENTS THEY LIKED"

★★★★★★★★★★★★★★★★★★★★★

powers to curtail it. In a sense, therefore, when it came to the issue of slavery, the Constitution disappointed everyone – but that is often the nature of compromises.

After the issue of slavery blew up prior to the Civil War, historians rushed to consider what the Founding Fathers had to say on the matter, but there was a level of pragmatism in 1787 – there was no alternative but to tolerate it for the time being, unless slave states were to be alienated. This does not mean that the issue did not create passionate disagreement, though, hence the fact that the word itself is not to be found anywhere in the document.

Luther Martin, a delegate to the Constitutional Convention, commented that delegates did not want to use 'expressions' that would be offensive to many Americans, but that "they were willing to admit into their system those things which the expressions signified". In this way, slaves were referred to as 'persons', but the context was clear when the talk was of the 'immigration or importation of persons'.

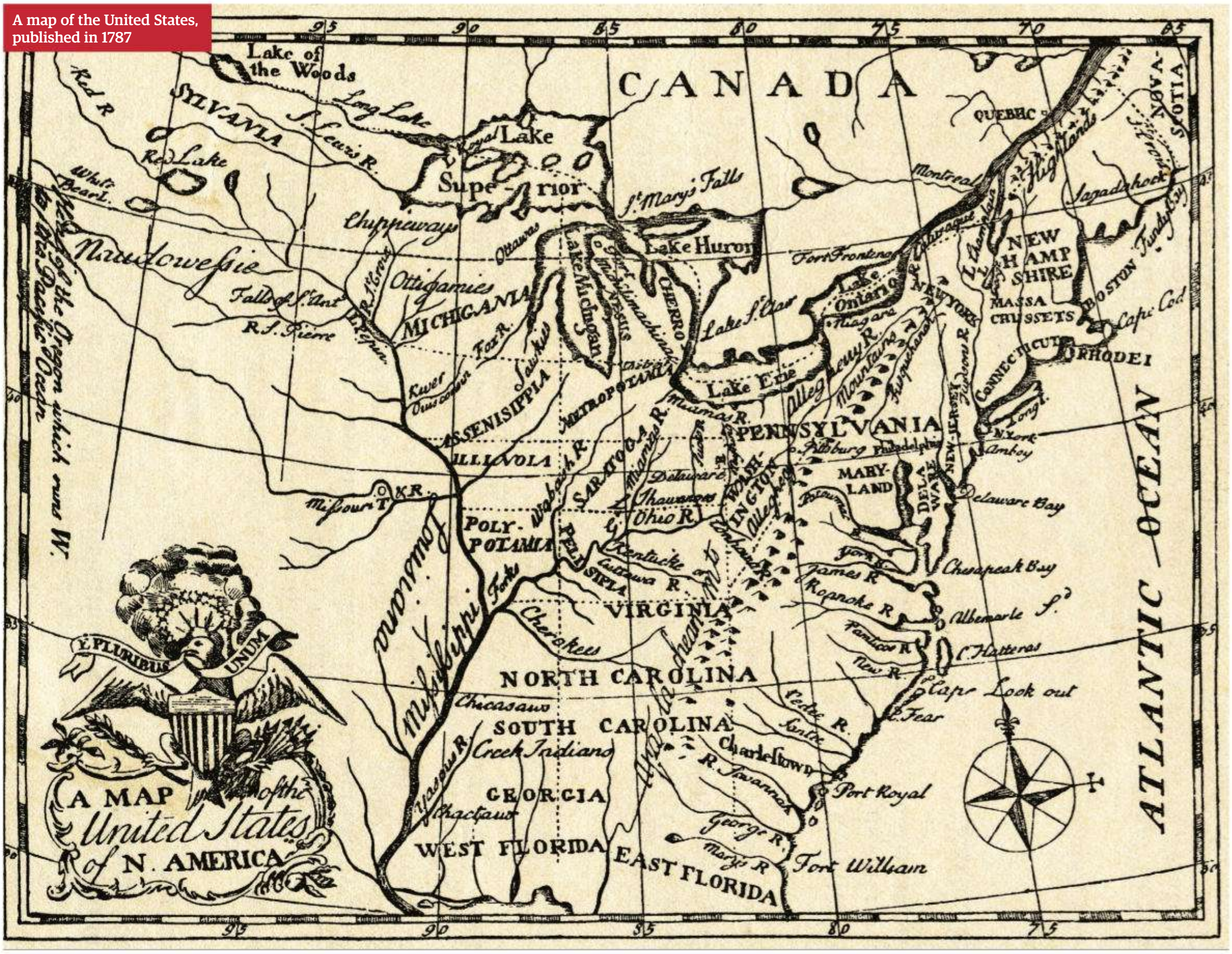
Many, at the time and since, would condemn this unwillingness to tackle the issue, and scorned the falling back on euphemisms, but if the overriding imperative was to form a unified country, it is difficult to see how the actual nuts and bolts of the question of slavery could have been handled differently. There was simply too much at stake for the slave-holding states.

There were actually three main debating points surrounding slavery: the effect a slave population would have on the representation offered to each state in the House; the question of importation of slaves; and the movement of slaves within the states.

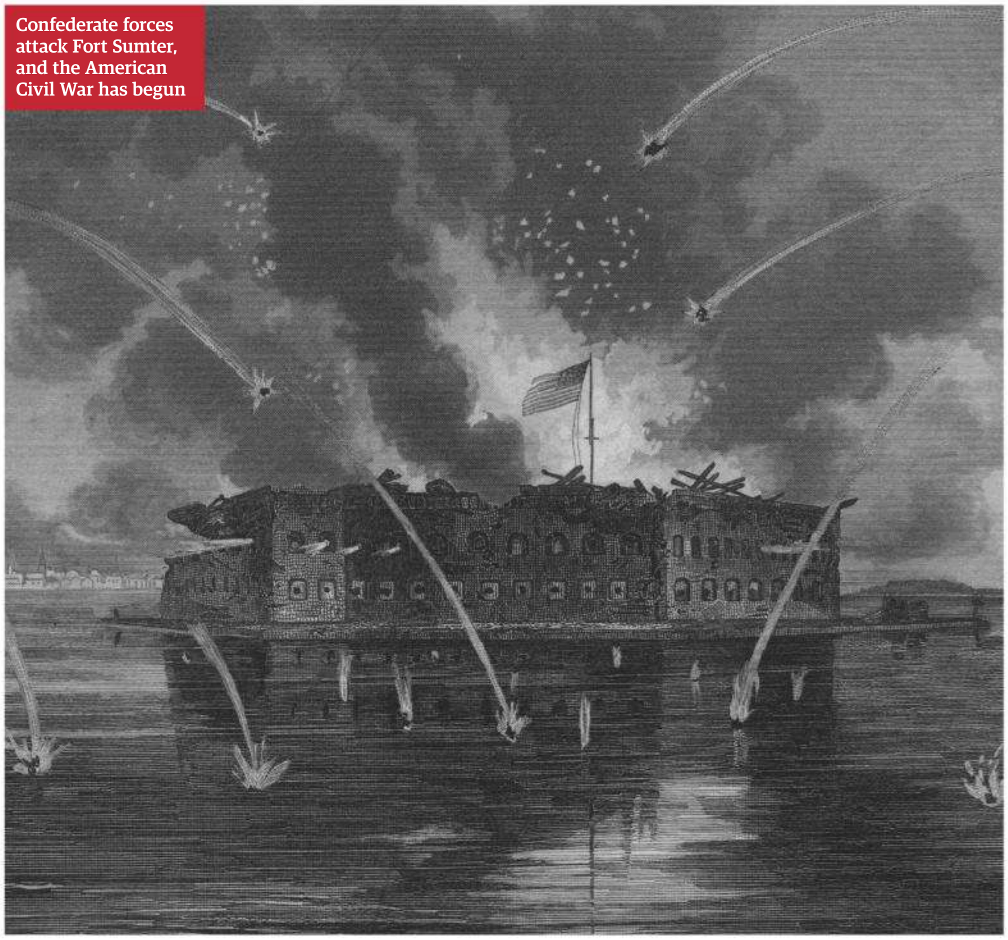
Representation in the House was a major debating point in itself. Southern states (with smaller populations) initially wanted both House and Senate representation to be equal for each state, whereas the Northern states favoured a system that saw more representatives appointed in relation to a state's population.

The 'Connecticut Compromise' adopted equal representation in the Senate, but proportional representation in the House. This raised the question of whether or not slaves should be considered part of a state's population. The matter was complex – acknowledging slaves as part of the population would increase a state's representation in Congress, but would also open them up to higher taxation. And while being acknowledged as a person, rather than mere property, might seem to be a beneficial development for the slaves themselves, it would simply have strengthened the state's voting power in the House, thus giving slave-owning states a larger say in the running of the country. The slaves themselves would still be unable to vote in elections, and slavery as an institution would be likely to continue for longer.

In what seems like a contradiction, therefore, anti-slavery adherents campaigned to have slaves treated as property, while slave states campaigned for them to be treated as people. The 'three-fifths compromise' was an inelegant and, to modern sensibilities, shocking way of squaring the circle. For the purposes of


A MAP of the United States of N. AMERICA
E PLURIBUS UNUM
CANADA
Lake of the Woods
SYLVANIA
Long Lake
Lake Superior
Lake Huron
Lake Michigan
Lake Ontario
Lake Erie
Lake St. Clair
Nadowessie
MICHIGANIA
ASSENISIPPIA
ILLINOIA
METROPOTAMIA
CHERRONESUS
SARATOGA
WASHINGTON
POLYPOTAMIA
PELISIPIA
QUEBEC
Montreal
NEW HAMPSHIRE
MASSACHUSSETS
BOSTON
Cape Cod
RHODE I
CONNECTICUT
NEW YORK
PENNSYLVANIA
Philadelphia
Pittsburg
NEW JERSEY
MARY-LAND
DELAWARE
Delaware Bay
Chesapeak Bay
VIRGINIA
NORTH CAROLINA
SOUTH CAROLINA
Charlestown
GEORGIA
WEST FLORIDA
EAST FLORIDA
Louisiana
Mississippi
Missouri R.
Ohio R.
Kentucke
Cherokees
Chicasaws
Creek Indians
Chactaws
Port Royal
Fort William
C. Hatteras
C. Fear
Cape Look out
NOVA SCOTIA
ATLANTIC OCEAN
Head of the Oregon which runs W. to the Pacific Ocean

A map of the United States, published in 1787



Confederate forces attack Fort Sumter, and the American Civil War has begun

★★★★ ★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★

> “IN WHAT SEEMS LIKE A CONTRADICTION, ANTI-SLAVERY ADHERENTS CAMPAIGNED TO HAVE SLAVES TREATED AS PROPERTY, WHILE SLAVE STATES CAMPAIGNED FOR THEM TO BE TREATED AS PEOPLE”

★★★★ ★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★

representation, three-fifths of a state’s slave population could be counted as people.

The second debating point, the importation of slaves, was especially difficult. Although the Federal Government did not have the right to impose a blanket ban on slavery for individual states, it was widely understood to have the right to control matters such as immigration and naturalisation. Anti-slavery representatives wanted the importation of slaves to be banned, but doing so would have damaged the economies of several Southern states. On the other hand, stating that it was legal would suggest that slavery itself was being enshrined in the Constitution.

Article I, Section 9, Clause 1 was the compromise: Congress had no power to limit “Migration or Importation of Such Persons as any of the States now existing shall think proper to admit”. On the face of it, this was a protection of slavery. States like Georgia and South Carolina, where the unhealthy climate made the importation of slaves essential, were now protected under the Constitution, but there was an additional element to the clause. Congress’s power was only limited until 1808. After that, it could theoretically ban the importation of slaves.

There is evidence that this was one of the most hotly debated clauses in the Constitution and the implications make it clear why. James Wilson (one of only six people to sign both the Declaration of Independence and the Constitution) declared that it was the first move towards outlawing slavery in the United States.

The third issue, the movement of slaves between states, was problematic because the Federal Government had authority over interstate commerce. The so-called ‘comity clause’ (Article IV, Section 2, Clause 1) stated that “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States”, meaning that a person could benefit from the rights of a particular state once they entered it, whatever their status in

BLOODSTAINED GOLD

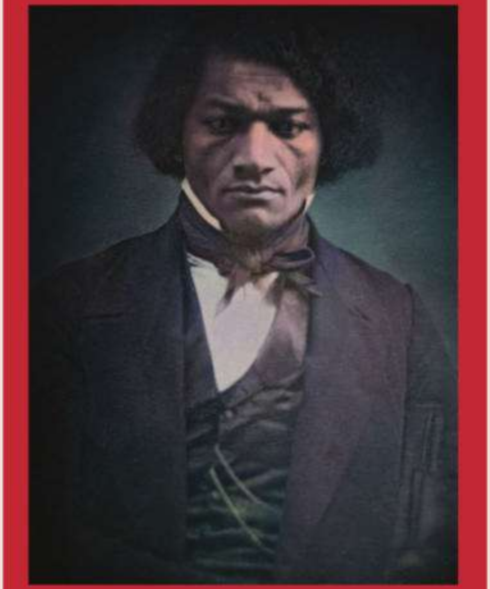
How a former slave derided the Constitution

The fact that the Constitution made so many concessions to the slave states led many to consider that the country was flawed from its inception. Frederick Douglass, a former slave who became a prominent anti-slavery campaigner, summed up his thoughts succinctly in a speech given in 1848: “The people of this country are held together by a Constitution. That Constitution contains certain compromises in favour of slavery, and which bind the citizens to uphold slavery.”

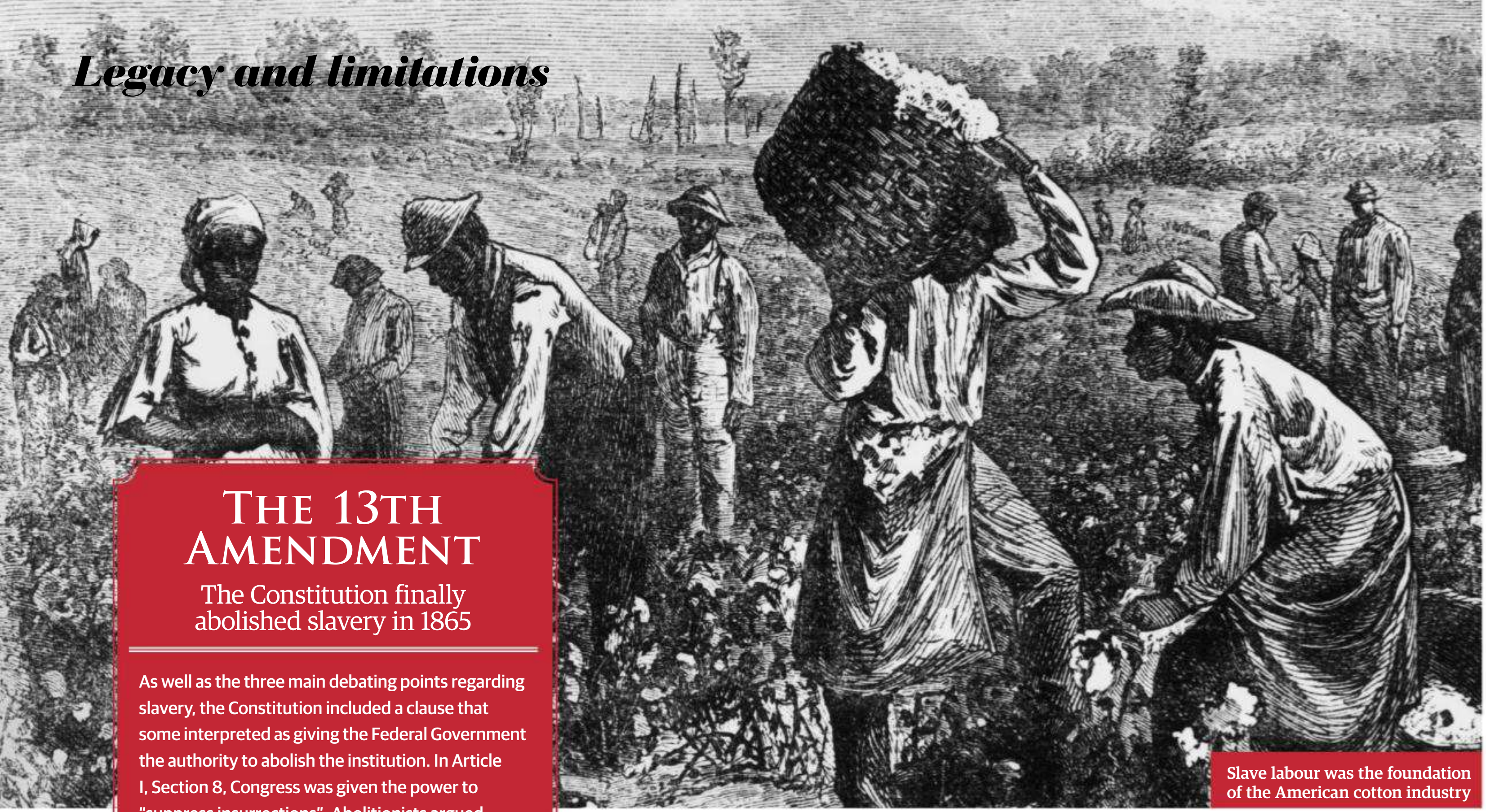
Believing the Constitution to be an immoral document, he therefore took on much the same position as pacifists during the First World War: he became a conscientious objector to the Union, and believed that nobody could hold office in such a country without implicitly supporting slavery.

He was critical of the Southern states who insisted on the compromises in the Constitution, and the Northerners who went along with their demands to keep them within the Union. “As a compensation for their base treachery to human freedom and justice,” Douglass declared, “the North were permitted to impose a tax of 10 dollars for each person imported, with which to swell the coffers of the national treasury, thus baptising the infant Republic with blood-stained gold”.

Douglass initially called for a dismantling of the Union, and even stated that military intervention from Great Britain would be welcome, although he later moderated his views, believing that a civil rights movement acting within the framework of the country could achieve the same ends.



Frederick Douglass, who escaped from slavery and became the first African-American nominated as a vice-presidential candidate



Slave labour was the foundation of the American cotton industry

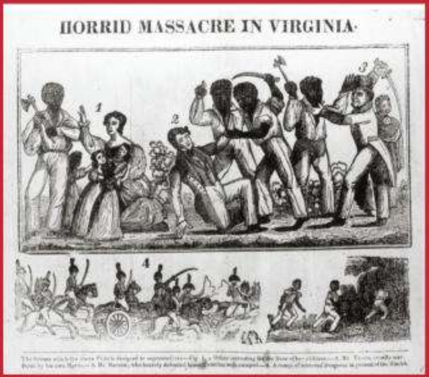
THE 13TH AMENDMENT

The Constitution finally abolished slavery in 1865

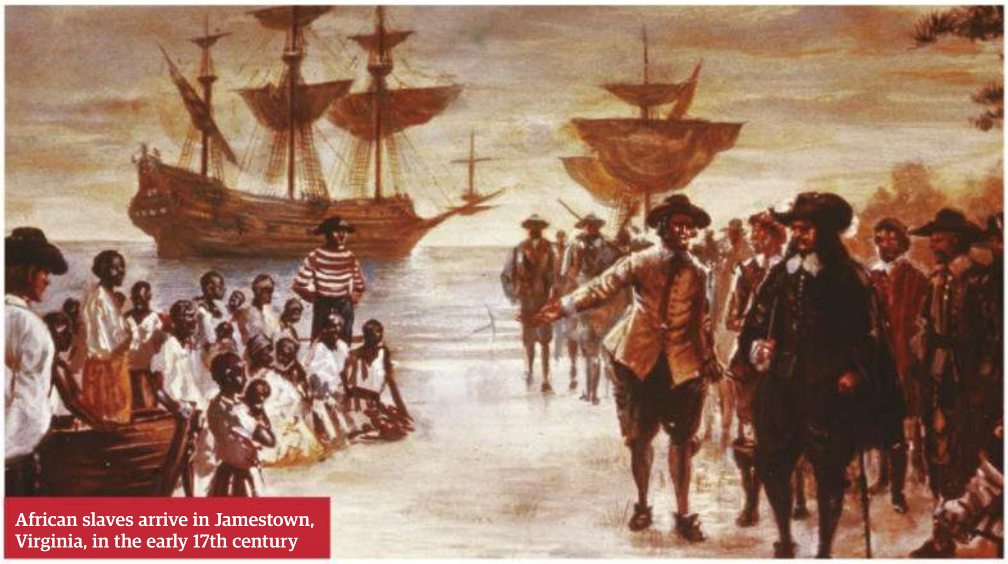
As well as the three main debating points regarding slavery, the Constitution included a clause that some interpreted as giving the Federal Government the authority to abolish the institution. In Article I, Section 8, Congress was given the power to "suppress insurrections". Abolitionists argued insurrection was always a possibility while slavery existed – such as the Southampton Insurrection – and that only the abolition of it could ensure it would not cause an insurrection.

It was an interesting take, but the Constitution would not specifically abolish slavery until the 13th Amendment was passed, on 31 January 1865, and ratified in December of that year. Section 1 stated that: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction". Nearly 80 years after it was framed, the Constitution included the word 'slavery' for the first time ('slave' would appear for the first and, so far, only time in the 14th Amendment, ratified in 1868, which invalidated claims of government debt regarding slavery).

The amendment was made at the end of the Civil War between the states, and followed the most famous executive order in history, the Emancipation Proclamation of 1 January 1863, in which President Abraham Lincoln freed 3.5 million of the 4 million slaves in the United States.



The Southampton Insurrection of 1831, which left as many as 65 white people dead



African slaves arrive in Jamestown, Virginia, in the early 17th century

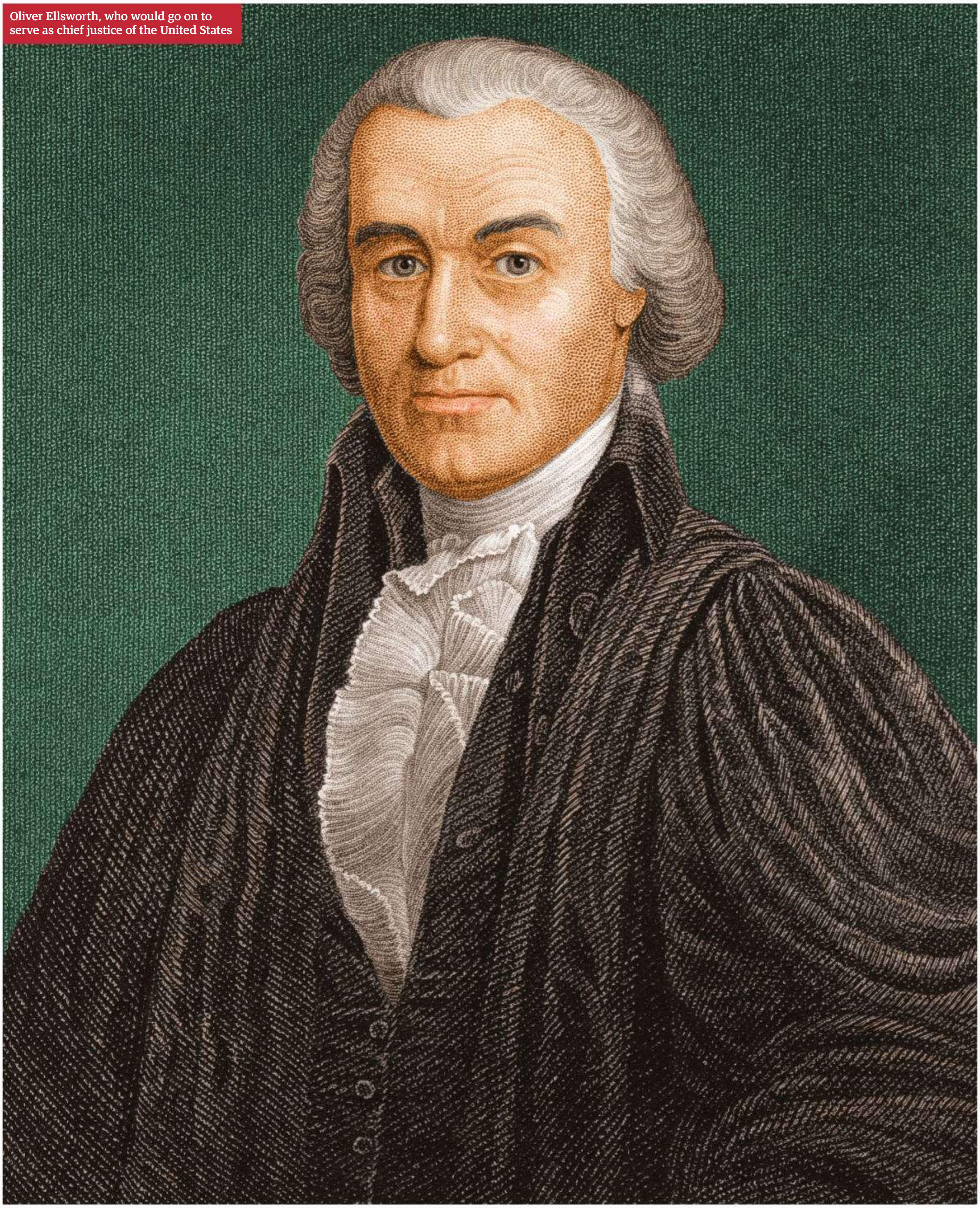
their 'home' state. In this way, if a slaveholder transported his slaves through a free state, or if a slave escaped and found their way to a free state, they would instantly be considered free persons.

This was potentially a very thorny issue, putting two different ideas of 'rights' at loggerheads. A slave owner would consider himself well within his rights to travel to a neighbouring state to recover what he considered to be his property. However, an anti-slaver would consider the slave to now have their own rights under the laws of the state where they currently found themselves.

Despite the complexity of this issue, a compromise was suggested and accepted unanimously. Clause 3 stated: "No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due".

Once more this was a clause with interpretations to please and displease each faction. It was a clear concession to the slave states, but it was also an exertion of federal authority over a state's autonomy.

The clause was woolly enough for the Supreme Court to mull on it for many years after the adoption of the Constitution (how much proof did a slaveholder need to produce in order to 'recover' his former slave, for instance), but with the adoption of this clause, the issue of slavery had been dealt with. Many people believed slavery would die out naturally in the country as the population increased, bringing with it a stock of poor white workers to take the place of slaves. "Slavery in time will not be a speck in our country," claimed delegate Oliver Ellsworth. He was to be proved wrong.



Oliver Ellsworth, who would go on to serve as chief justice of the United States

© Getty Images, Adobe Firefly

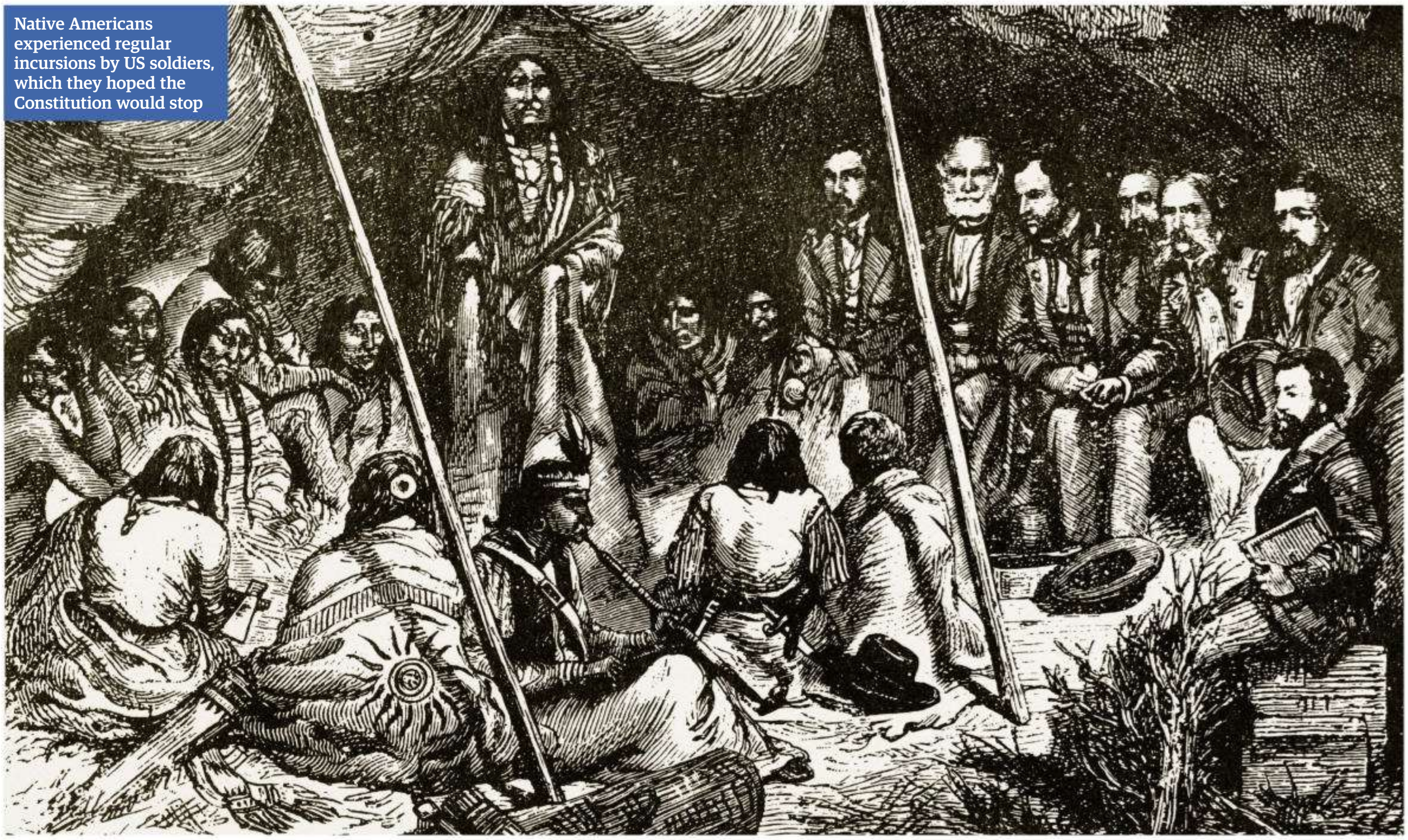
THE CONSTITUTION AND NATIVE AMERICANS

How "We the People" sidelined some of the most important people in the United States of America

Written by Jamie Frier

The US Constitution was devised, debated, written and signed by a few dozen white men in a house in Philadelphia. At no point during the process were Native Americans involved, which was something of an oversight given that, out of a population of around 4 million, there were around 150,000 of them - roughly four per cent. However, the indigenous, pre-European inhabitants of the USA were far from outcasts in their own land. Benjamin Franklin, one of the Founding Fathers, had had many dealings with the various nations and admired their system of governance, while future president, John Adams, also believed that the Constitution should take its shape and inspiration from the Native Americans. However, when it came to the actual drafting of the Constitution, the document barely made mention of them. Article 1, Section 2 briefly refers to the indigenous inhabitants by stating that "untaxed Indians" should not be included in the headcount when determining how many members each state should have in the House of Representatives (by contrast, three-fifths of slaves counted as people). Then, in Section 8, the Constitution authorised Congress to "regulate Commerce with... the Indian tribes". And that was it. The history, the rights and the power of the nation's original inhibitors all overlooked

Native Americans experienced regular incursions by US soldiers, which they hoped the Constitution would stop

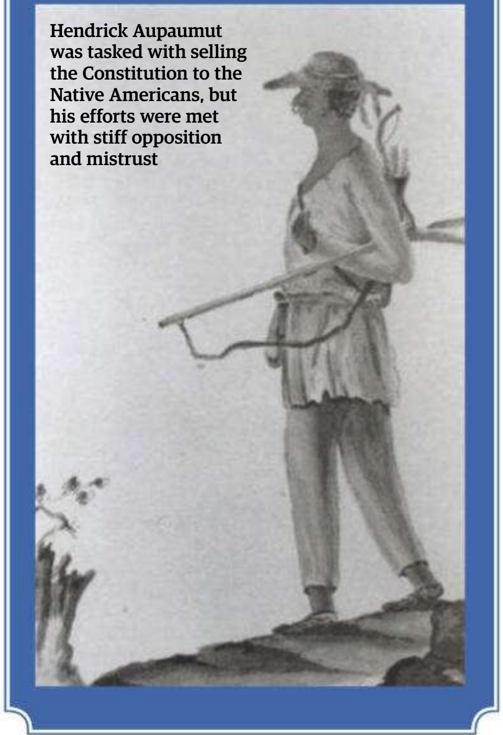


AUPAUMUT

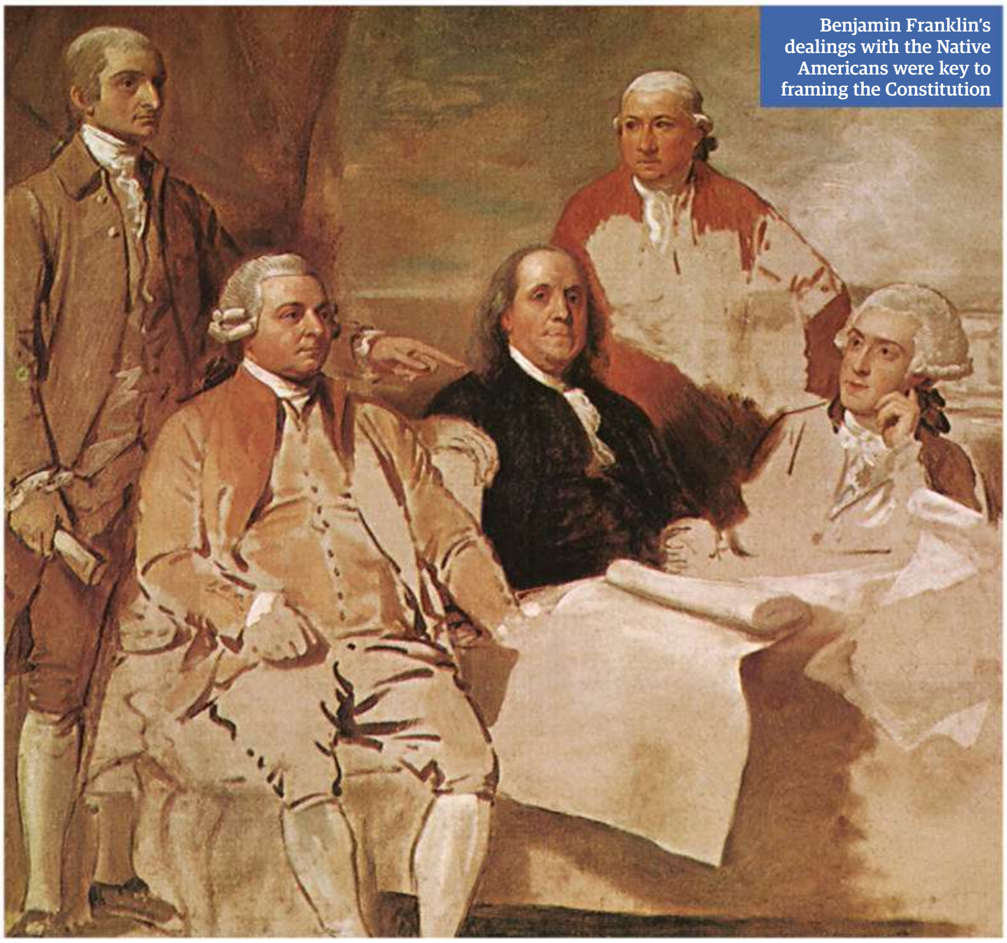
The Founding Fathers' man on the inside

Just as with the general population, the men who drafted the Constitution knew that they had a tough task on their hands in trying to convince Native Americans to support it. As such, they spoke to senior figures within several nations to try and convince them to get their people onside. One such man was Hendrick Aupaumut, of the Mohican nation in Massachusetts. He went in to bat hard on behalf of the new US Government, believing that they represented a new America with tougher laws against the atrocities and manipulation that Native Americans had faced. He also claimed they were the only ones who could stop Native American lands being stolen through force and their subsequent displacement.

Despite being a respected figure within the community, Aupaumut faced opposition and distrust from his sceptical tribe, as well as others that he petitioned across the states. This mostly centred around one issue: trust. Firstly, they didn't trust that the new US Government would have the power to reel in the aggressors and stop them from making claims on their land and secondly, even if they did have the power, they didn't trust that the US Government would act on it. From experience, Native Americans knew that very often one thing was said to them, but the opposite said to the non-indigenous settlers. Aupaumut failed to convince his people of the new Constitution, and even expressed doubts of his own that Washington, Franklin et al would be able to make good on their promises. As it turned out, he was right.



Hendrick Aupaumut was tasked with selling the Constitution to the Native Americans, but his efforts were met with stiff opposition and mistrust



Benjamin Franklin's dealings with the Native Americans were key to framing the Constitution

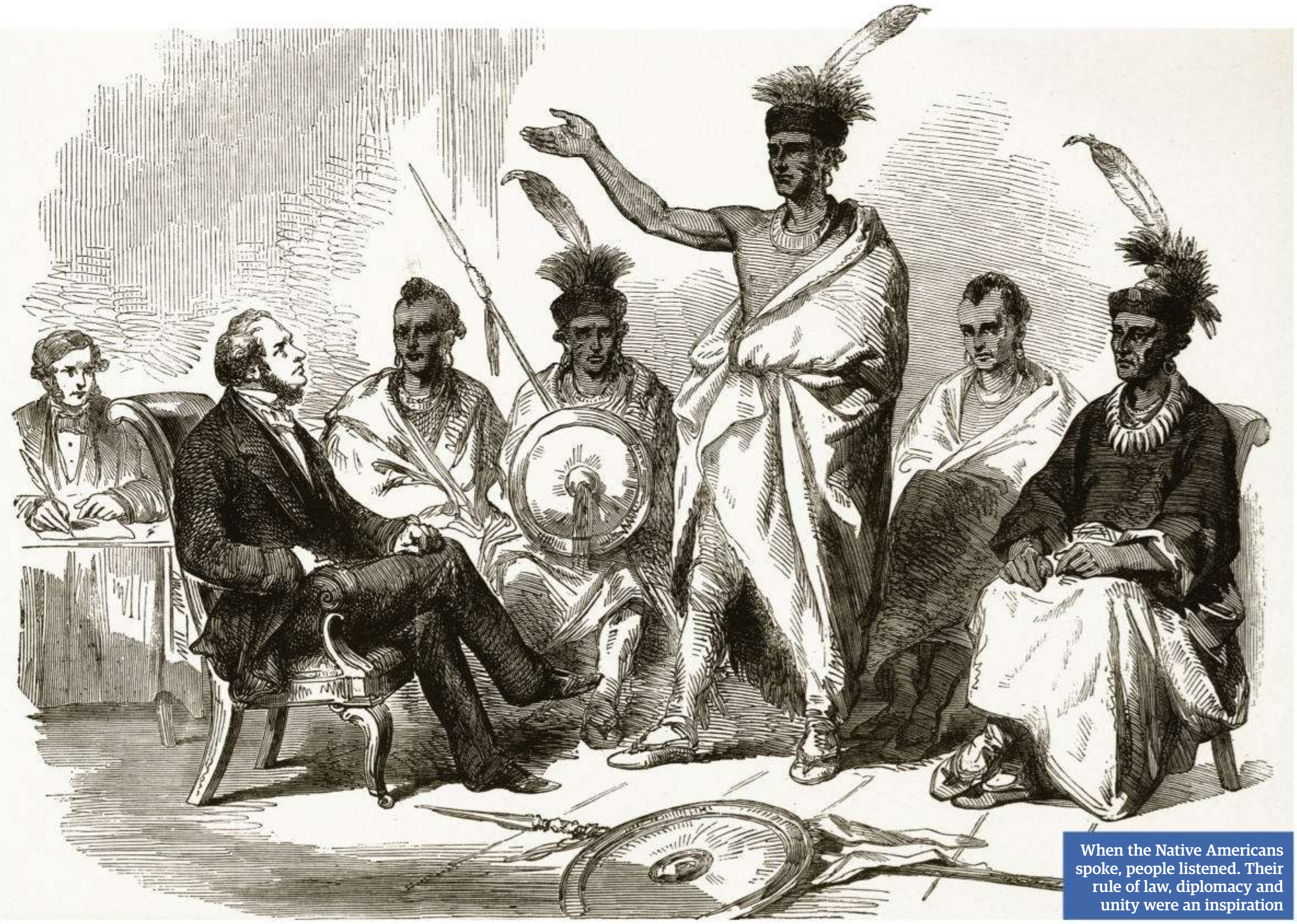
and eroded. However, over the years, through sometimes painful diplomacy, debate and understanding, Native Americans have steadily earned rights under the Constitution.

Native Americans have an, understandably, complex relationship with settlers, in regards to their status as citizens. The Constitution ostensibly ruled them as non-citizens in Article 1, Section 2, but their importance was noted in the Commerce Clause and Treaty Clause, which allowed the president to make treaties with them. Native American tribes were essentially recognised as sovereign and therefore excluded from voting and protection under the Bill of Rights. Their right to religious freedom and right to a fair trial, for example, was not protected and resulted in many disputes on which the Native Americans generally fell on the wrong side.

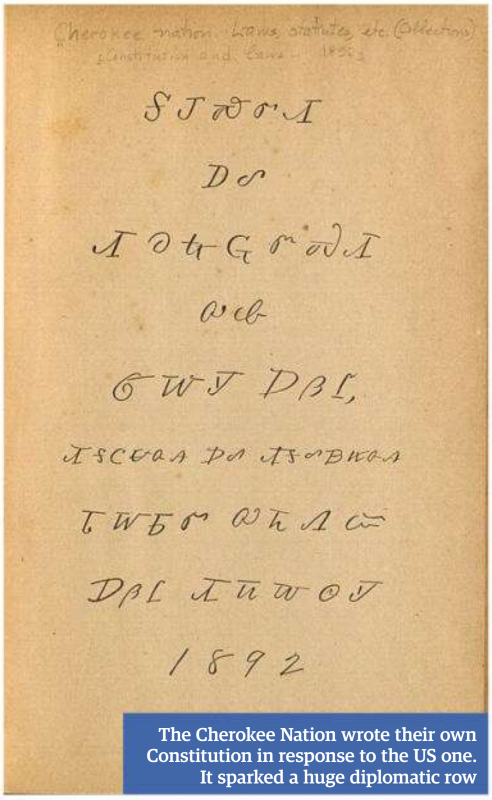
Even when things appeared to change for the better, they didn't always. The 14th Amendment, introduced in 1868, theoretically gave automatic citizenship to anyone born in the USA and therefore the same rights and freedoms, which many believed would include Native Americans. However, due to the fact that less than ten per cent were taxed, the amendment had no effect whatsoever for most of them. Nine years later, Native Americans were granted citizenship if they accepted land grants, then finally in 1924, the Indian Citizenship Act meant that all Native Americans would now be given citizenship.

However, there are still many thorny issues left to be fully sorted, mostly centred around the Bill of Rights. Do tribal Indian courts have jurisdiction for crimes committed by non-Indians on Indian land? What about crimes committed by those from other nations on their land? Can they prosecute an American citizen in their own court, with their own set of laws, or are they bound by US Constitutional processes, even if they aren't specifically governed by them? These issues are regularly found in courthouses up and down the USA, causing legal problems for all concerned. Also, do Native Americans even want to be US citizens? To be governed by people whose ancestors turned up on boats and took your ancestors' land is something that many struggle with, and the idea of now forced citizenship sits uncomfortably. The phrase 'extraconstitutional' has often been used to describe Native American nations in relation to the USA, since they hold a unique position of being within the boundaries of the country and affected by the laws and regulations, but also existing outside the federal system.

All this and more would have been discussed during the Native ratification debates as they grappled with the same issues that Americans up and down the country were grappling with, namely how the new Constitution affected them. Despite the obvious fact that there would be opposing views on nearly everything,



When the Native Americans spoke, people listened. Their rule of law, diplomacy and unity were an inspiration



Cherokee nation. Laws, statutes, etc. (Collections) Constitution and laws. 1892.

1892

The Cherokee Nation wrote their own Constitution in response to the US one. It sparked a huge diplomatic row

Native Americans were initially cautiously in favour of the Constitution, insomuch as they hoped the Federal Government system would prevent individual states from imposing further draconian rules and sanctions on them, after a succession of heavy-handed post-Revolutionary War land grabs. Various senior figures held meetings with the likes of George Washington to discuss the Constitution and its effect on them, before relaying those messages to their people, to be met with a mixture of hope and skepticism.

A major turning point for the Native Americans' relationship with the Constitution came with the first treaty made under the new system. The Treaty of New York overrode the treaty that the state of Georgia made with the Muscogee people that had resulted in the Native Americans losing their land to the Georgians. In return for the new US Government restoring their land, the Muscogee people gave their backing to the Constitution. This represented a huge milestone in the relationship between Native Americans and the new country that the Constitution hoped to unify.

However, moments like this were a rare occasion. The majority of Native Americans ultimately rejected the Constitution, distrusting those in power who were promising them protection from white land-grabbers, while simultaneously promising white Americans protection from Native Americans. As long as incursions into Indian territory continued, regardless of how much federal funding was shovelled their way in exchange for land, any attempt to regulate the nations was met with resistance. However, due to the fact that most Native Americans did not have voting rights or official representation with state legislators, their objections ultimately had little or no bearing on the eventual ratification of the Constitution.

In response to the US Constitution passing through state legislatures, nations such as the Cherokee and Choctaw decided to write their own constitutions. Both of these started with fairly bold statements regarding their sovereignty in their own land and set out governing laws, such as rules stating that all districts needed to agree on a land sale for it to go through. Unsurprisingly the states, especially the Southern ones, weren't happy with this move and sought to quash the new Native constitutions by claiming that creating new governments within state boundaries was unconstitutional. This view was backed by the

US Government, but then argued against by the Native Americans. They pointed out that, as they were sovereign nations who just happened to be within the boundaries of these states and hadn't agreed to the Constitution, it had no jurisdiction in their lands and they could, indeed, form a constitutional government. That position was upheld after a protracted legal battle and it became enshrined in law that Native Americans were sovereign within the boundaries of states. That didn't stop the repeated land grabs and forced acquisitions of Indian territories, though, most of which were either not rebuffed or instigated by Congress in the forms of treaties, the very documents that Native Americans had hoped would keep them safe in their own lands. The self-penned tribal constitutions didn't have the desired effect for the indigenous people, instead seeming to fuel further conflict with their American neighbours.

In short, the US Constitution has not been particularly kind to the Native American people. There were so few mentions of them in the document itself, the ones that were there either ruled them as irrelevant or potential trading partners and subsequent attempts to include them only resulted in more confusion, more ostracism and less protection. If you're being kind, it could have been an oversight on the part of the Founding Fathers. If you're not being kind then it could have been a cynical and calculated attempt to sideline, manipulate and dominate the indigenous people of the land they were attempting to govern.

The Native Americans engaged in debate and discussion with each other as well as the Founding Fathers and legislators for decades, but would ultimately find their interests secondary at nearly every turn, despite a few key legal victories. Their attempts to establish a safe, secure place in their homeland, with the advantages of protection alongside their own historic autonomy rarely came to pass and often they had to make desperate compromises between ceding land and power and their own lives when individuals, states and the US Government decided they wanted more land. It's somewhat ironic that a piece of work that takes much of its inspiration from a group of people ended up harming them in multiple ways. Far from being a unifying document, the US Constitution that set out to represent "We the People", by accident or design, ended up creating further division for centuries.

> "IT COULD HAVE BEEN A CYNICAL ATTEMPT TO DOMINATE THE INDIGENOUS PEOPLE OF THE LAND"

The Indian Citizenship Act of 1924 conferred citizenship on Native Americans

THE GREAT LAW OF PEACE

How the Native Americans inspired the US Constitution

Of the many things taken from Native Americans by European settlers, their system of government is probably the least problematic. A treaty known as the Great Law of Peace kept law and order between the Five Nations Confederacy, namely the Mohawk, Oneida, Cayuga, Onondaga and Seneca nations. Later the Tuscarora joined the agreement, making it the Six Nations Confederacy. This agreement is thought to have dated from the 11th century and successfully paved the way for previously warring nations to live in peace, insisting on the rights of all people. For most of the time, nations would act individually, but occasionally leaders of the various nations would gather together in a Grand Council, setting laws and making decisions that had to be passed unanimously.

Benjamin Franklin's dealings with the Iroquois people (a catch-all term for the Six Tribes) was firstly the inspiration for the Albany Plan of Union, which called for unity in defending themselves from attacks. The method by which the nations operated, both individually and in a group for the common good, then became the basis of The Virginia Plan at the Constitutional Convention, inspiring the likes of James Madison to propose a system of government where houses of representatives spoke on behalf of their group. Such was the importance of the Iroquois Confederacy that, in 1988, a resolution was passed formally acknowledging its role in the creation of the Constitution and the USA we know today.

An installation commemorating the Great Law of Peace, which provided the inspiration for the US Constitution

© Alamy, Getty Images, Adobe Firefly

WAR OF THE WORDS

The ideals presented in the Declaration of Independence, the Constitution and the Bill of Rights were mobilised when America went to war

Written by David Smith

Propaganda' was considered an ugly word in the United States in the run-up to the nation's involvement in the Second World War. Historian Philip M Taylor described propaganda as being "the deliberate attempt to persuade people to think and behave in a desired way", so it is perhaps not surprising that to many people, the idea carried connotations of selective information, manipulation and outright lying.

This was partly due to how propaganda was used in other countries, especially the Axis powers leading up to and following the outbreak of war in 1939, but it was also a consequence of America's own experience with propaganda in World War I. Pro-war propaganda pushed by the administration of Woodrow Wilson had stoked a 'them and us' sentiment in the country to a level that was close to hysteria. At the same time, it triggered anti-war protests and, despite the First Amendment, protestors risked jail time for their actions.

The experience soured the general public on the very notion of propaganda, but despite this, the United States found it had a pressing need to convince its population that involvement in the Second World War was not only unavoidable, but was actually desirable. As late as 1941, after the conflict had been raging for two years, America was still fundamentally isolationist in outlook. Recovering from the Great Depression was the primary concern of many people, and an expensive war effort looked like an absolutely ridiculous proposition.

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> "THE UNITED STATES FOUND IT HAD A PRESSING NEED TO CONVINCE ITS POPULATION THAT INVOLVEMENT IN THE SECOND WORLD WAR WAS NOT ONLY UNAVOIDABLE, BUT WAS ACTUALLY DESIRABLE"

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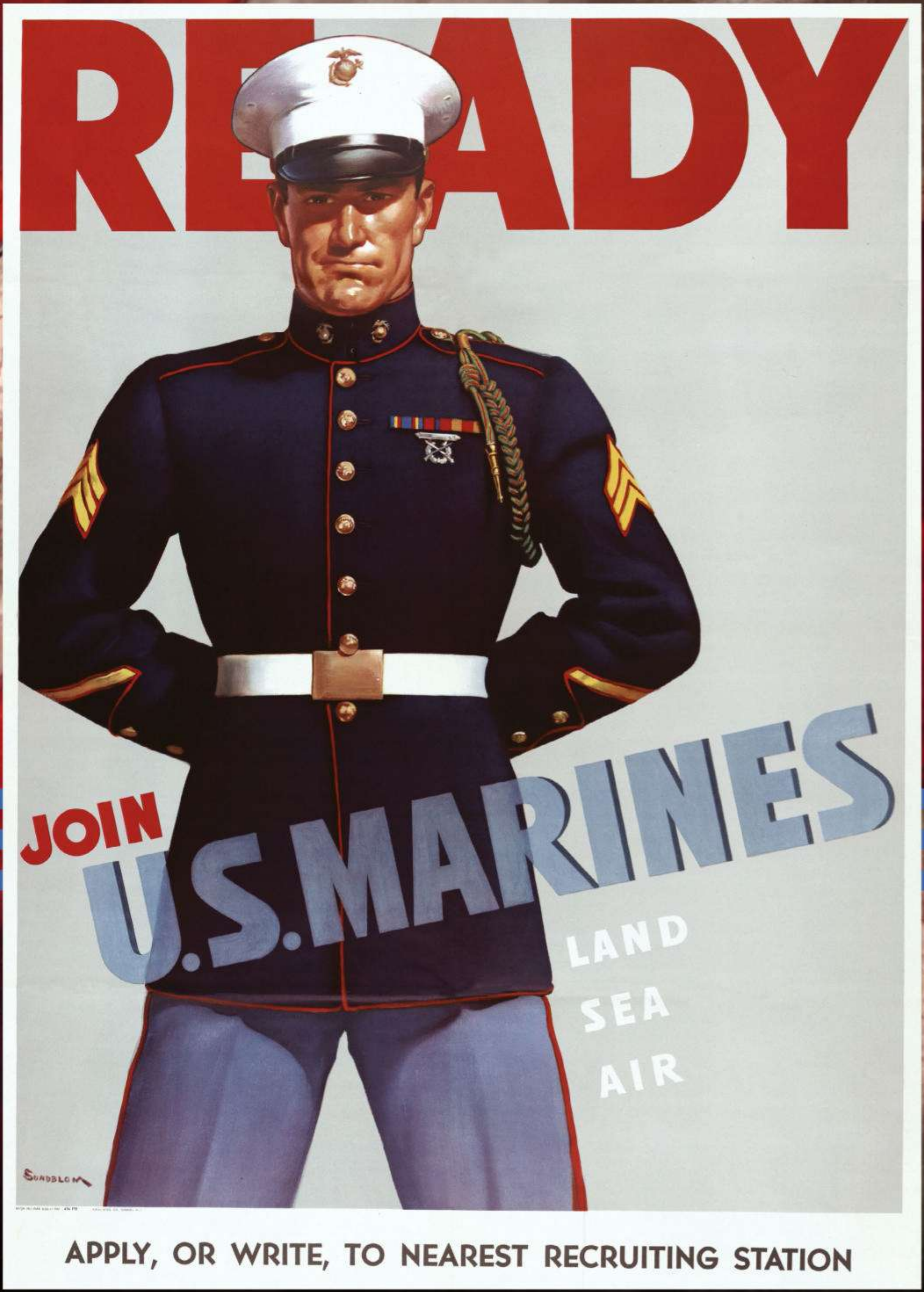
The Japanese attack on Pearl Harbor had a dramatic impact on public perception, but more was needed to transform America into the military behemoth it would be by the end of the war. Propaganda, therefore, needed to be produced for varying purposes.

Most importantly, it needed to convince the American people that this was a war they could not stay out of. Then, the armed forces themselves needed to have no doubt about why they were fighting, and to believe in the justness of their cause. Friendly foreign nations needed to be convinced that America had their interests at heart and was not merely engaging in a war of opportunism, looking to snap up territory to build an American empire. Finally, enemy nations needed to be convinced that Americans would stick to their task for as long as it took, and that their own armed forces could not hope to stand against a fully mobilised United States.

In each instance, the values of the Charters of Freedom – the Declaration of Independence, the Constitution and the Bill of Rights – provided fodder for the propaganda, and there were many methods through which it could be delivered in the 1940s. Most important were radio broadcasts, documentary films and posters, and there was also a tool that would be considered unimportant today but was a major resource at the time – comic books.

All of the various means of reaching the American people, or people of other nations, were harnessed under the watchful eye of the Office of War Information (OWI), and all will be explored more over the following pages.


READY
JOIN
U.S. MARINES
LAND
SEA
AIR
SUNDBLOM
APPLY, OR WRITE, TO NEAREST RECRUITING STATION

COMIC TIMING

The humble comic book proved an effective way of reaching both children and adults

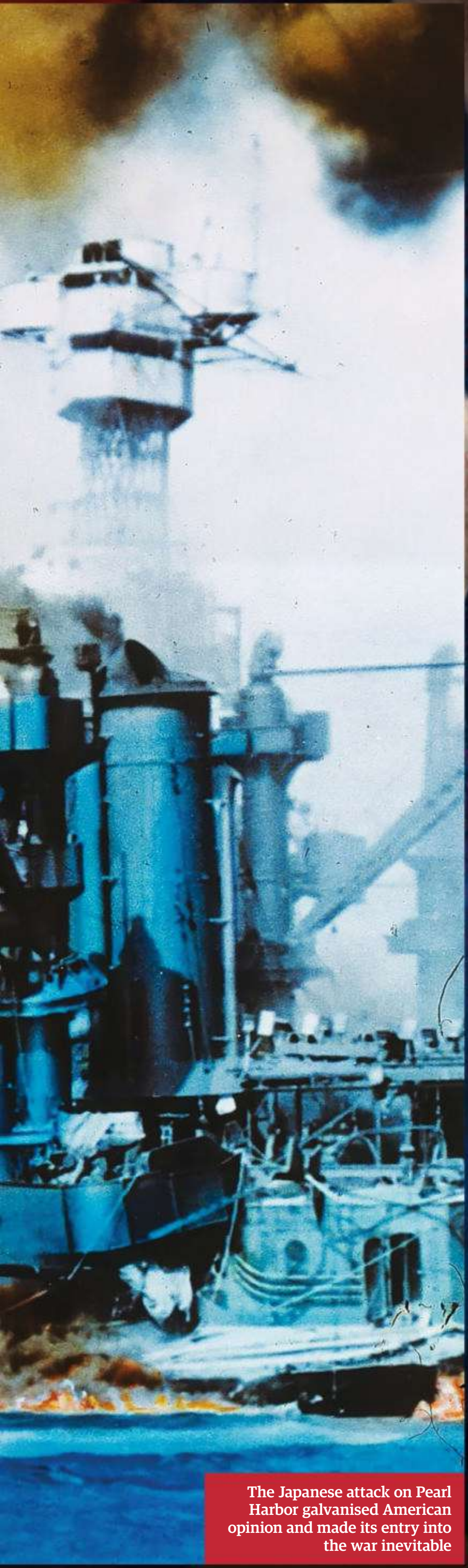
Comics might seem a strange way to spread propaganda, but in 1940s America they were big business. In 1942, 12 million comic books were sold, and one third of those were read by people over the age of 18. This offered a way to put subtle (and not-so-subtle) propaganda in front of a large and receptive audience.

In March 1941, Captain America made his first appearance – punching Hitler in the face on the front cover of the first issue of *Captain America Comics*. He made a direct appeal to readers to join him in the fight to uphold the founding principles of the United States and his sidekick, Bucky Barnes, also implored readers to join the fight against enemies of liberty (the bad guys in *Captain America* would often go into battle crying out the slogan "down with liberty!").

An official fan club was organised in October of 1941, called 'The Sentinels of Liberty'. This was an obvious callback to the 'Sons of Liberty' from the Revolutionary War era.

Wonder Woman appeared around the same time, although her status as an immigrant (she was an Amazon rather than an American) was glossed over. One storyline featured a fake George Washington trying to spread enemy propaganda, and Wonder Woman also had a fan club – the 'Junior Justice Society of America'. Joining was encouraged with the phrase, "Never before in our history has Uncle Sam needed the wholehearted support of every man, woman, and child".

An American GI relaxes with a comic book while training in Atlanta



The Japanese attack on Pearl Harbor galvanised American opinion and made its entry into the war inevitable

Radio broadcasts were the main source of news and entertainment for American families in the early 1940s

Pearl Harbor also gave American propaganda-makers a potent subject to whip up support for the war

RADIO

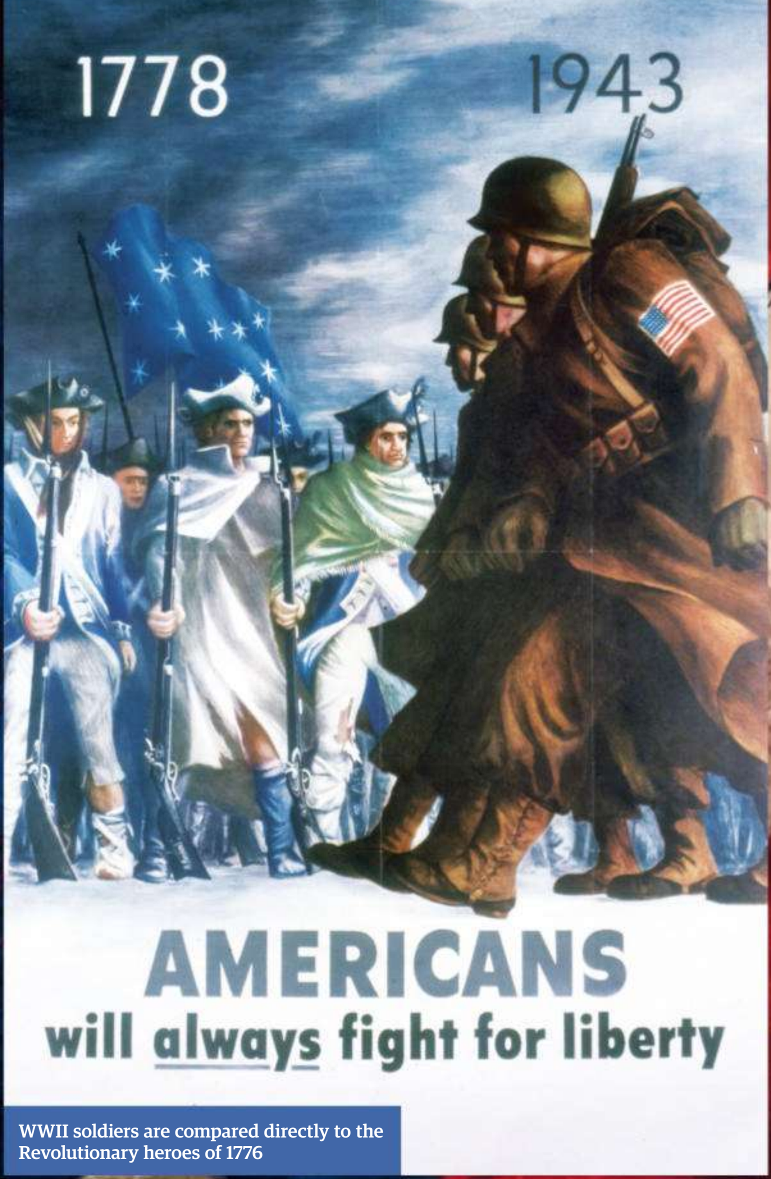
Around 90 per cent of Americans owned a radio when war broke out, so it was perhaps the most important resource when it came to disseminating a message. The problem was, the public was frankly sick of propaganda. As well as heavy-handed efforts in the First World War, Roosevelt had used radio to hammer home the message of his New Deal – Americans were tired of being told how to think.

With the nation unsure about the new challenge facing it, efforts were made to bring the public around, aiming to make them feel that this was their war. Radio broadcasts went out 24 hours a day, and so did the propaganda messaging. One regular programme was entitled *We Hold These Truths*, a clear reference to the words of the Declaration of Independence. As well as details on atrocities committed by the enemy, such shows also harked back to America's glorious military past, including the Revolution and the Civil War, when they had stood up and fought for high-minded principles, whatever the cost.

Other programmes (including ones with such colourful titles as *The Anti-Christ*, *Swastikas Over the Equator*, *Work or Die* and *Women Versus Hitlerism*) took on the difficult task of convincing the public that Nazi Germany needed to be the focus of American efforts rather than the Japanese.

Radio propaganda became so successful, and so cleverly integrated into programming, that most people were unaware they were being targeted. In 1945, when asked which communications medium had best served the public during the war, 67 per cent chose the radio.

Legendary film director Frank Capra, architect of the *Why We Fight* documentaries



1778
1943
AMERICANS
will always fight for liberty

WWII soldiers are compared directly to the Revolutionary heroes of 1776

DOCUMENTARIES

Before the era of television, the cinema was the place where Americans were able to watch both movies and documentaries. Two documentary series produced by the Bureau of Motion Pictures (a department of the OWI) are powerful examples of the kind of propaganda produced. Although aimed at different audiences, both concentrated on telling the story of who Americans were, as well as how they had come to be.

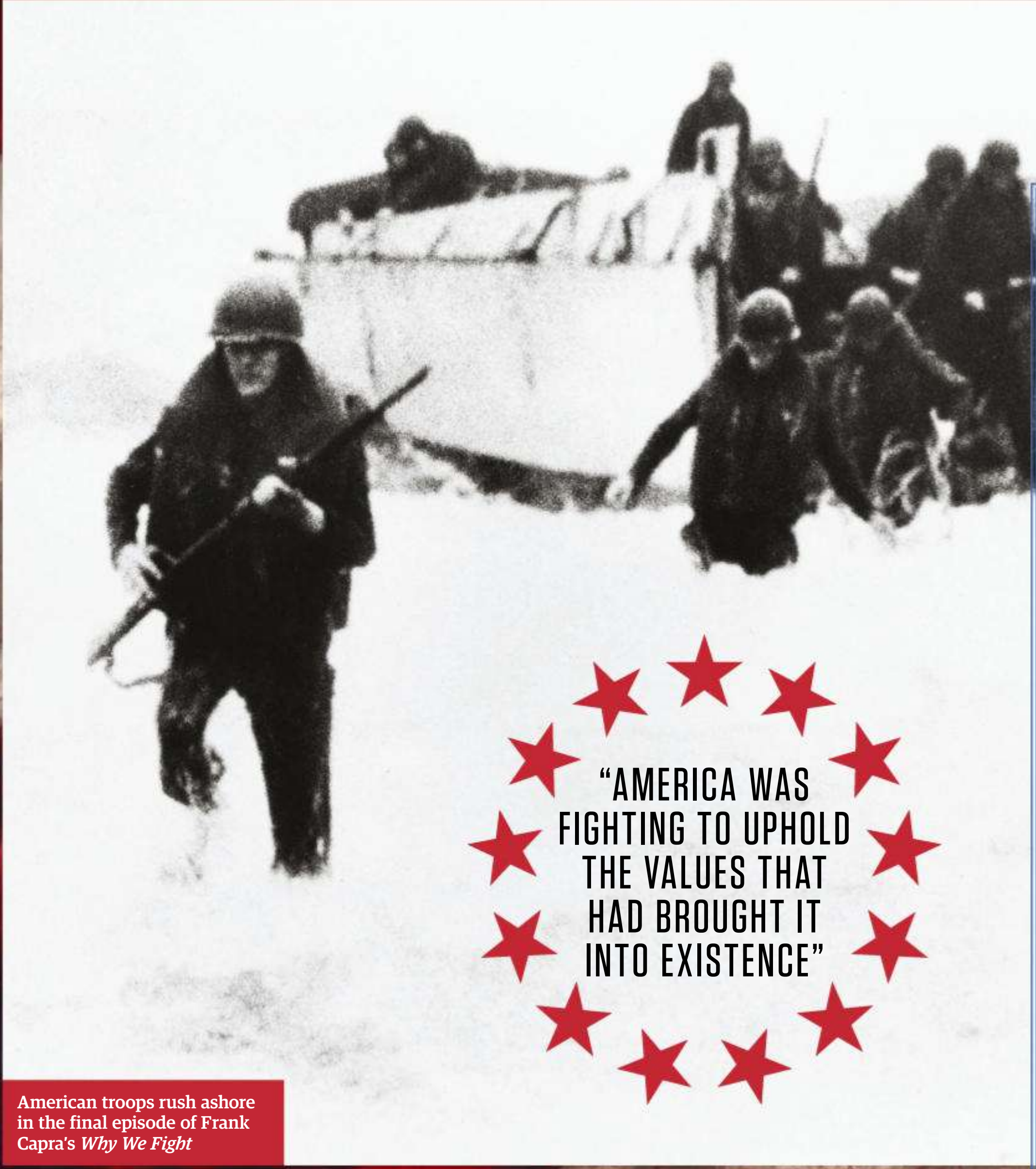
The 26-part documentary series, *Projections of America* (also known as *The American Scene*), was aimed at foreign nations and was a deliberate attempt to counter the prevailing image of America as shown by Hollywood. Far from being a nation of gangsters and cattle-rustling cowboys, America was a place where hard work was valued. Episodes focused on specific elements of American life, such as the real-life experience of being a cowboy (less shooting at Indians and more fixing fence posts), or the way refugees were welcomed.

These films accompanied the US Army on its march around the world, and whenever a new territory was captured, a makeshift movie theatre would be set up in order to better acquaint the local population with the men who had just liberated them. The values of the Declaration of Independence, the Constitution and the Bill of Rights were always at the heart of the message and one episode in particular played heavily on the founding of America.

'The Cummington Story', produced in 1945, told the tale of a New England town and how it responded to an influx of refugees, explaining how they were fleeing religious or political intolerance overseas and how this chimed with the experiences of the first European settlers in New England, more than 300 years earlier.

A memo proposing an episode on how American elections work demonstrated how eager America was to export the ideas of democracy and freedom. The episode was to show how peaceful and 'neighbourly' American elections were, and in case the subject seemed too dry, an animated section would explain the system of checks and balances at the heart of the American political system.

Why We Fight was another, more renowned, series of documentaries. Running to just seven episodes, these films were directed by Hollywood legend Frank Capra and were intended for a military audience – the men who were being asked to put their lives on the line for the freedom of other countries. Why, exactly, should they be fighting for Great Britain, France, China and Russia? In *Why We Fight*, the origins and course of the war were explained in detail, and the basic reasoning behind American involvement was clear.



"AMERICA WAS FIGHTING TO UPHOLD THE VALUES THAT HAD BROUGHT IT INTO EXISTENCE"

American troops rush ashore in the final episode of Frank Capra's *Why We Fight*

In the first episode, 'Prelude to War', the goal of America's involvement was spelled out in the following words, uttered by Secretary of War Henry L Stimson: "We are determined before the sun sets on this terrible struggle our flag will be recognised throughout the world as a symbol of freedom on the one hand… and of overwhelming power on the other". The war in which America was now engaged was described as that between a 'free world' and a 'slave world'. Freedom had come into being thanks to the 'men of vision' (including Jesus Christ, Moses, Mohammed and Confucius) who recognised that all men were created equal. The soldiers watching the film were told that this sentiment was "best expressed in our own declaration of freedom".

Further references were made to other great American texts, including Abraham Lincoln's 1863 Gettysburg Address. 'Lighthouses' (men like Washington, Jefferson, Garibaldi, Lafayette and Lincoln) had brought light into the world, "that government of the people, by the people, for the people, shall not perish from the earth".

Patriotic music and images of minutemen, the Liberty Bell and the original flag of the United States (with 13 stars arranged in a circle) underscored the message of this first episode: America was fighting to uphold the values that had brought it into existence, and would do so to the full extent of its power. The final episode, 'War Comes to America', took its audience back to the beginning of the nation, to Jamestown in 1607 and Plymouth Rock in 1620. "We came in search of freedom," the audience was informed, "facing unknown dangers rather than bend the knee or bow to tyranny". The American Revolution had been the first 'test' of this new doctrine, and the Constitution (described as "the sacred charter of we, the people") was an attempt to pass this doctrine on to future generations.

THE JEWEL IN THE CROWN

India was engaged in its own struggle for independence from Britain, putting America in a difficult position

Influencing allies was a key goal of American propaganda, and that presented an especially difficult test when it came to India. The military capacity of the nation was obvious, and its location became even more important after Pearl Harbor, but America struggled to find a way to enhance their standing with the Indian people.

At the heart of the problem was the fact that India was a colony, under the rule of the British Empire… a situation very familiar to any American who had ever picked up a history book. At the same time, Britain was a key ally, and America could not denigrate them even though India was engaged in its own struggle for independence. It was a circle that the Americans never quite managed to square – the Indians felt the Americans were propping up British imperialism and the British were secretly smiling at their discomfort. Hoping to turn the tide, the OWI employed a New York advertising company, the J Walter Thompson Agency. The agency started a campaign drawing directly on American history. One advert mentioned that "the 150-year-old Constitution of the United States contains a charter of freedom for all mankind; and their President has declared the extension of those fundamental liberties to all men [as] the base of the American people's war aims".

The campaign proved unpopular even in America, where it was felt it had overreached. In India, it was seen as a sign of hypocrisy – few people believed America would openly support the cause of Indian independence.

Mohandas K Gandhi and Subhas Bose, leaders of the Indian Freedom Movement, pictured in 1938

MOVING PICTURES

A preoccupation with profit made Hollywood studios reluctant to engage in blatant propaganda

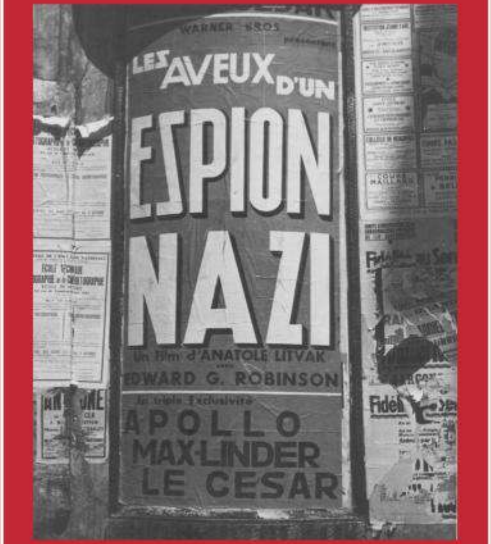
While it was easy for the US Government to produce propaganda in the form of documentaries, Hollywood was far more problematic. The industry that did more to create an image of America across the word than any other was difficult to control, and was fixated (understandably, considering it was a business) on profit.

Around 20 per cent of Hollywood's revenue came from overseas markets, so there was a reluctance to upset foreign powers and risk a ban of their movies. Hitler had been in power since 1933, but it wasn't until 1939 that the first explicitly anti-fascist movie (*Confessions of a Nazi Spy*) was produced by a Hollywood studio.

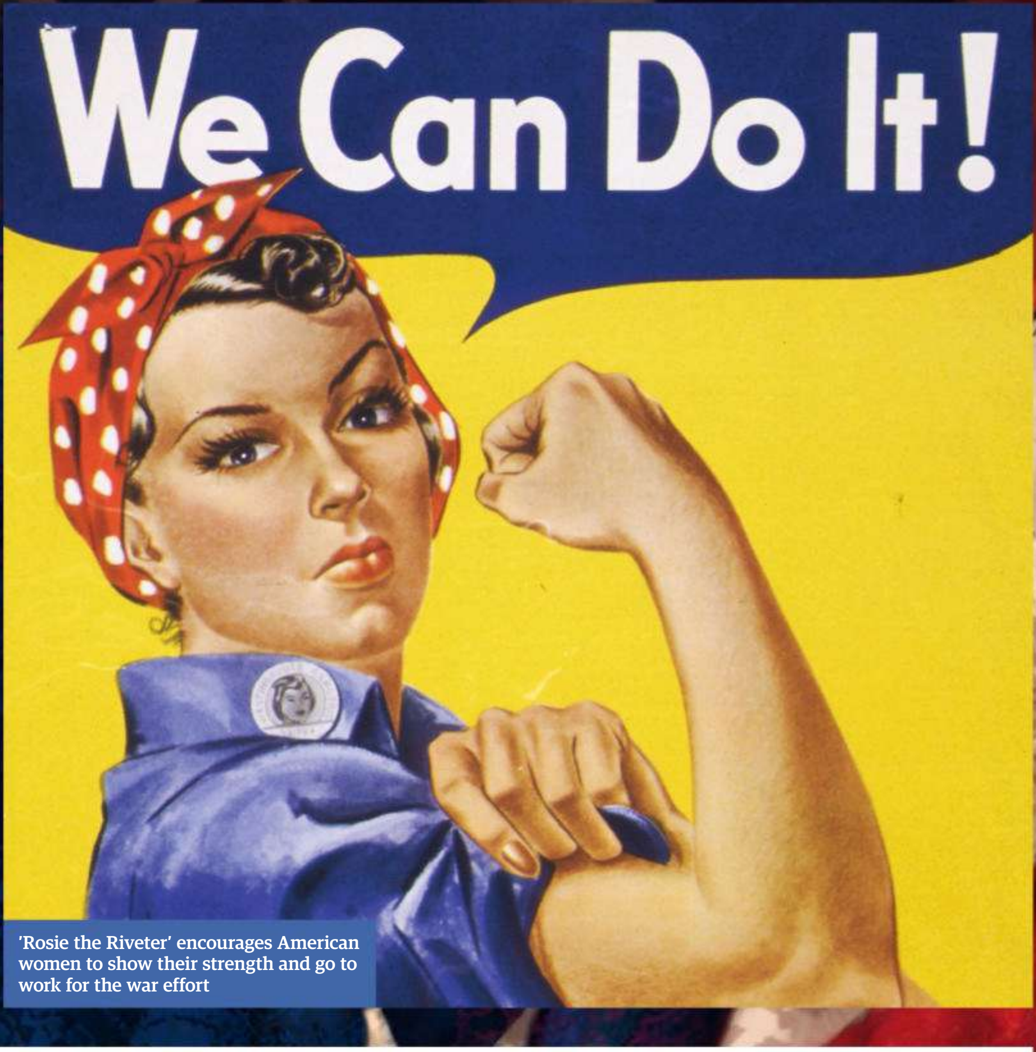
The appetite to oppose fascism increased after the fall of France and the Battle of Britain, with films such as *Foreign Correspondent* (1940), *The Great Dictator* (1940) and *Man Hunt* (1941) proving to be box office hits, but there was still resistance. One 1941 memo, from a Hollywood producer to a screenwriter, spoke volumes. Commenting on the draft of a screenplay, the producer sent a terse telegram: "Hitler box office poison. Revise story."

The banning of American films by Germany that same year made the situation less complex, and the Office of Production Management (OPM) was set up to advise Hollywood on its films.

After Pearl Harbor, war films became more attractive to Hollywood producers simply because they could now turn a profit. Six months after Japan's attack, 125 war films had been produced or were in production, but the emphasis was still on entertainment rather than propaganda.



Poster for the French version of *Confessions of a Nazi Spy*, in occupied France at the start of the war



'Rosie the Riveter' encourages American women to show their strength and go to work for the war effort

POSTERS

Moving pictures packed a punch, but a well-crafted still image, with the help of an effective slogan, could also prove effective. This was the foundation of one of America's most extensive forms of propaganda – the poster.

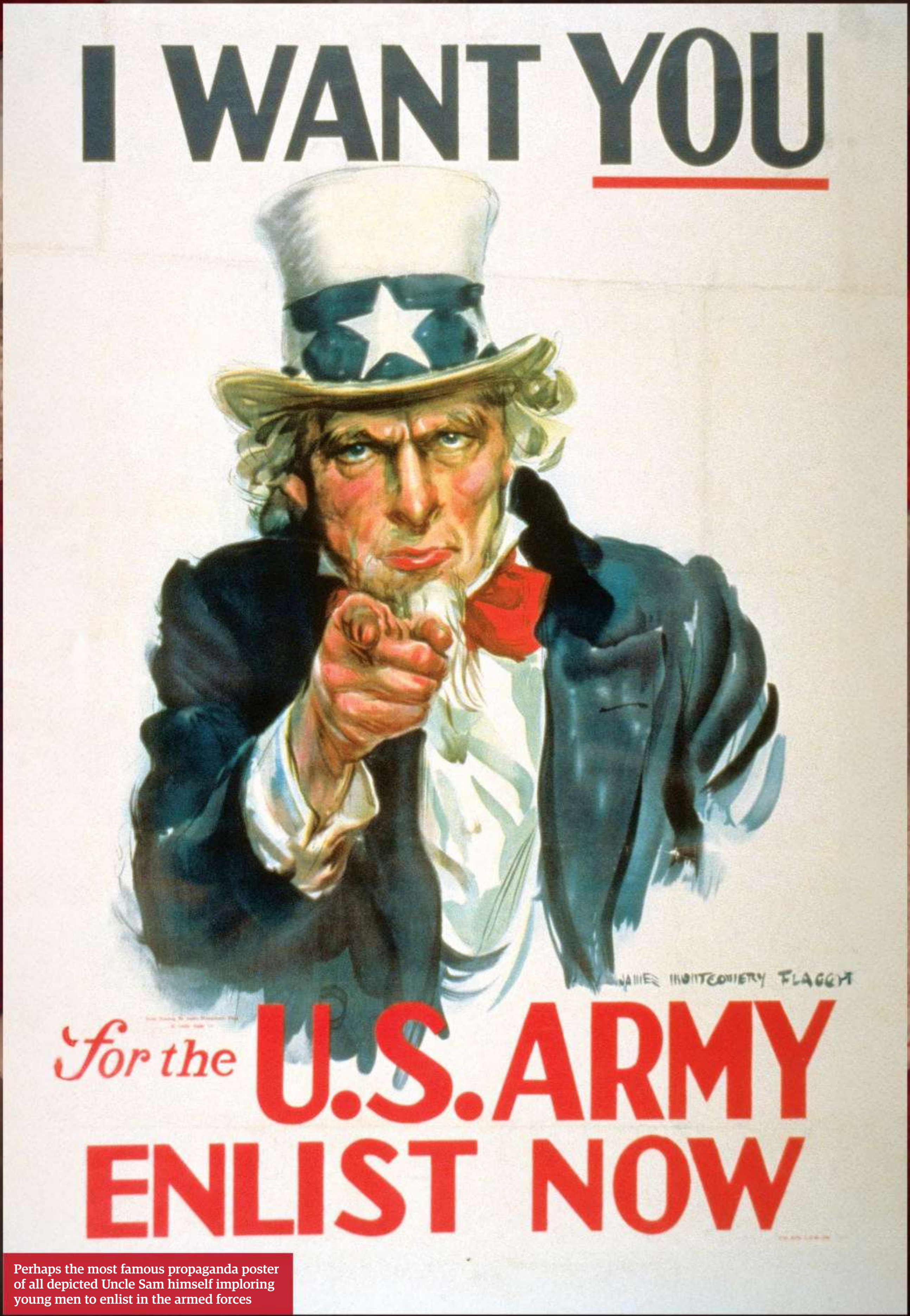
From the familiar image of 'Uncle Sam' declaring 'I want you for the US Army', to a depiction of Second World War soldiers marching past their Revolutionary-era counterparts with the slogan 'Americans will always fight for liberty', there was a vast variety of themes. They could pack an emotional punch in a matter of seconds, requiring far less time to deliver their message than a documentary or radio show.

The poster format was the perfect tool for delivering Roosevelt's 'Four Freedoms' message. This, essentially a pared down (and therefore more easily digestible) summary of the Constitution and the Bill of Rights, declared that there were four freedoms worth fighting for: freedom from fear; freedom from want; freedom of speech and expression; and freedom of worship.

First expounded upon by Roosevelt almost a full year before the attack on Pearl Harbor, his speech demonstrated that preparing Americans for involvement in the developing war was at the forefront of his thinking. Paintings by the renowned artist Norman Rockwell illustrated each of the four freedoms and became the basis of posters to spread the message.

The potential reach of posters was especially enticing to the US Government. One official commented: "We want to see posters on fences, on the walls of buildings, on village greens, on boards in front of the City Hall and the Post Office, in hotel lobbies, in the windows of vacant stores". Another got even more carried away, saying: "Ideally, it should be possible to post [all over] America every night. People should wake up to find a visual message everywhere."

Finding such messages everywhere made it difficult to engage in the First Amendment, found in the Bill of Rights, which granted all citizens the right to free speech and, therefore, protest. Ironically, in a wartime propaganda campaign that often leant heavily on the moral justification given to America by the Declaration of Independence, the Constitution and the Bill of Rights, the propaganda itself made it increasingly difficult for anyone to effectively exercise the rights enshrined within them.


I WANT YOU
JAMES MONTGOMERY FLAGG
for the U.S. ARMY
ENLIST NOW

Perhaps the most famous propaganda poster of all depicted Uncle Sam himself imploring young men to enlist in the armed forces

© Getty Images

SHAPING THE WORLD

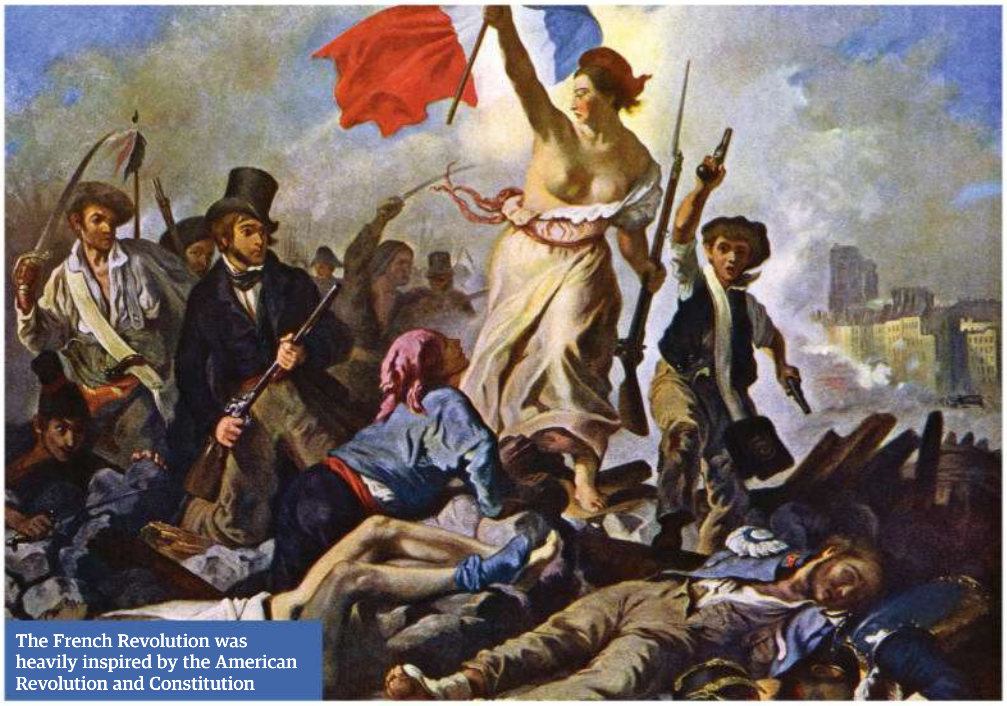
The US Constitution set a precedent that influenced governments across the globe

Written by Mark Dolan

On 17 September 1787, 11 years after the Declaration of Independence, one of the world's oldest constitutions was signed, bringing with it the birth of the United States of America as we know it. The road had been long and hard, with disagreements more common than agreements, but the Founding Fathers had lent their signatures to it, and the world sat up to pay attention. It was a truly revolutionary document, ushering in a new era, and its importance and possibilities were not lost on the other countries of the world. Colonisation abounded, and democratic ideals were sweeping the New World and the Old alike. With such a visible and high-profile precedent, it was always likely that repercussions would be felt. That they were, and on a truly global scale.

EUROPE

The earliest direct influence of the Constitution beyond the States was seen in Europe. France, of course, played a major role in American independence and was on the edge of its own revolution. The Marquis of Lafayette was at the heart of both countries' revolutions and had close relationships with key players, including George Washington and Benjamin Franklin. In fact, Franklin was minister to France in the late 1770s and early 1780s and helped to disseminate the state constitutions that were drafted after 1776 to Parisians. In 1789, the French Constituent Assembly drew up a constitution – The Declaration of the Rights of Man and of the Citizen – which was directly inspired by the US Constitution, and written with the help of none other than Thomas Jefferson.



The French Revolution was heavily inspired by the American Revolution and Constitution

Although the first Declaration was presented in 1789, the first French Constitution didn't take effect until 1791, by which point it had been beaten to the title of Europe's first written constitution by Poland. Poland was undergoing its own political crisis at this time, the apex of a 400-year struggle to restrict the power of the crown and ensure the rights of the people. Various Poles were instrumental in the American Revolution, such as Casimir Pulaski and Tadeusz Kościuszko, and the US Constitution inspired Poland's own 1791 Constitution, a move that was subsequently valiantly defended by Kościuszko on his return to the country. While the Polish Constitution was short-lived – the country was partitioned and ceased to exist just six years later – it remains both an important historical document and a testament to the impact of the US Constitution in Europe.

After these first two European constitutions, various other countries, including Spain, Germany, Austria, Belgium and the Netherlands, followed suit and took inspiration from the US to incorporate US-style constitutional rights in their constitutions, often with American consultants helping the implementation process.

After the damage of WWII, Japan was more open to US influence

★★★★★★★★★★★★★★★★

> “THE US CONSTITUTION REMAINED A KEY REFERENCE POINT FOR EMERGING NATIONS”

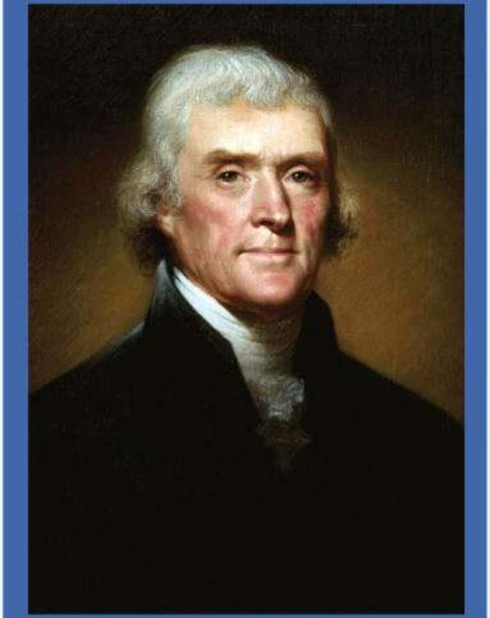
★★★★★★★★★★★★★★★★

THE AMERICAN DREAM

The immediate reaction to the Constitution was one of hope and optimism

Even before the Constitution was finalised, Thomas Jefferson viewed himself and his fellow Founding Fathers as legislators acting not just for America, but for the world. It was a document surrounded by interest and looked upon favourably by many forward-thinking people and groups. It held a particular fascination in countries where political instability was already a pressing issue, such as France and Poland, both in the midst of constitutional crises at the end of the 18th century. Even Britain looked toward Parliamentary reform in the wake of the news coming out of America. Although to some extent the Constitution could be considered a product of its time, being part of a wave of democratisation, it changed the course of this trajectory, and certainly served as an inspiring force for a host of nations grappling with the desire for representation and the rights of individuals.

The optimism brought by the Constitution also gave birth to the American Dream. Long seen as a fabled, almost utopian solution to the difficulties facing the Old World, this forward-thinking, revolutionary document looked to prove that these beliefs were justified, and that the Constitution heralded a new age of prosperity. This drew people from all over Europe to America and played a large part in laying the multicultural foundations of the nation. It was a time of change, and one where the signing of this Constitution was the pinnacle of a new, better, more liberated existence.



Thomas Jefferson helped shape the Constitution but wasn't at the Constitutional Convention

LATIN AMERICA

While various nations took inspiration from the US Constitution for their own means, there was also something of a domino effect that rippled outwards. For instance, France's Declaration led to Spain's 1812 Cadiz Constitution and subsequently a Portuguese constitution in 1822. These were known to Simón Bolívar, El Libertador. Bolívar, a Venezuelan soldier and statesman, was instrumental in the liberation of Venezuela, Bolivia (subsequently named after him), Colombia, Ecuador and Peru from Spanish colonial rule. Upon gaining independence, each nation brought into effect its own constitution, all broadly modelled on the American original. The influence in this region spread beyond those liberated by Bolívar, too, with others, such as Mexico, Argentina and Brazil, all federal states today.

The Mexican Constitution, signed much later than many others in South and Central America, in 1917, was both an outcome of the US Constitution's precedent and a historic step forward. The document borrowed heavily from the USA in its structure and wording, but it went further, including not only political rights but also economic and cultural rights, including free public education and public health and welfare programmes. The US Constitution has continued to be influential throughout the Americas, with El Salvador, Honduras, Panama and Guatemala all adopting US-influenced constitutions.

ASIA

The influence of the US Constitution in Asia came after its waves of impact in Europe and the Americas, with the most significant instances of constitutionalism in Asia coming in the years after World War II. Japan, after surrendering, were open to influence from the West in an unprecedented way. Although the opportunity for democratisation of Japan came about as a result of its defeat in the war, some Japanese people were open to change and not all were staunchly opposed to the role of the US. The new constitution was drafted by the US directly, rather than simply influenced indirectly, but its long-term effects, still very evident today, came from the United States' own history of constitutional government and show there have been many forms of impact of the 1787 document.

In India, too, the US Constitution had a major effect, albeit in a less imposed fashion. After gaining independence from Britain in 1947, the Indian government turned to the then-more-than 150-year-old document as one source of inspiration for its own constitution, which remains an available legal reference today. Much of it appealed, particularly the enshrinement of the right to free speech and separation of state and religion, but they do differ in one key aspect: while the US Constitution is famously difficult to amend, India's has been altered more than 100 times in its comparatively short history.

India looked to the US Constitution for inspiration after achieving independence in 1947

AFRICA

The reach of the US Constitution's influence has been extensive, and Africa, a continent heavily colonised in the 19th and early-20th century, is no exception. As early as 1847, Liberia – a country founded by freed American slaves and with a unique Americo-Liberian culture – enacted a constitution based on that of the US and written by a professor from Harvard Law School.

For most of the rest of Africa, it wasn't until after WWII that independence began to be an achievable dream. In the three decades after 1945, many African nations were either granted or fought for freedom from their colonisers. Each then faced the issue of needing to establish a new form of government. Although the American influence here was primarily indirect, and by this point, there were dozens of constitutions to draw from, the US Constitution remained a key reference point for emerging nations, drawn by its built-in protections against the emergence of all-powerful tyrants.

It's hard to overstate the influence of the US Constitution on the shape of the modern world, but it is worth revisiting the reasons for its importance on a global stage. As one of the world's first written constitutions, it presented a new way of governing, with separations and rights of the people enshrined, preventative measures to ensure the continuation of democracy, and a path through post-colonial development. And importantly, as time went on, it was proven to work. The USA emerged as the most powerful nation on the planet, with the Constitution at its heart. For any nation needing a tried-and-tested approach, there was nowhere better to turn.

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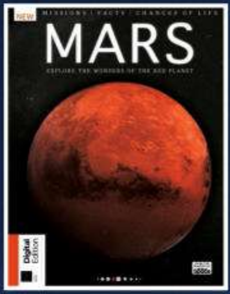

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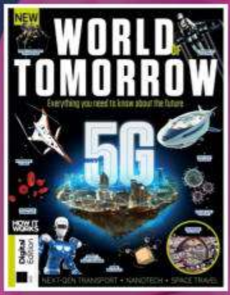
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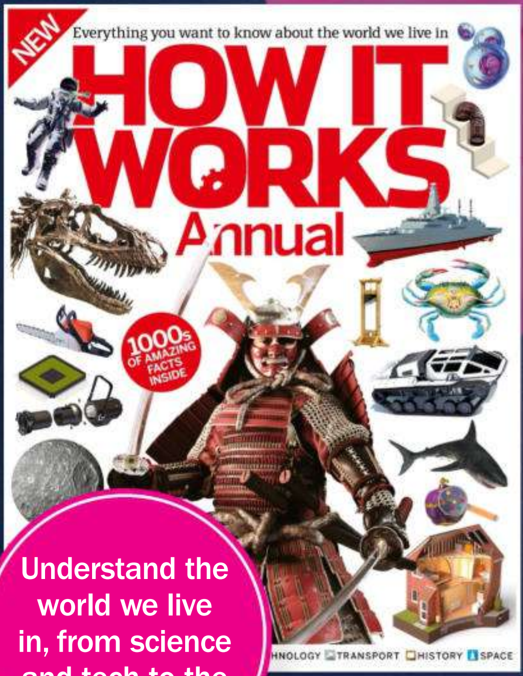
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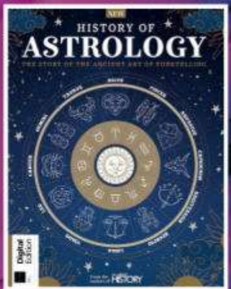
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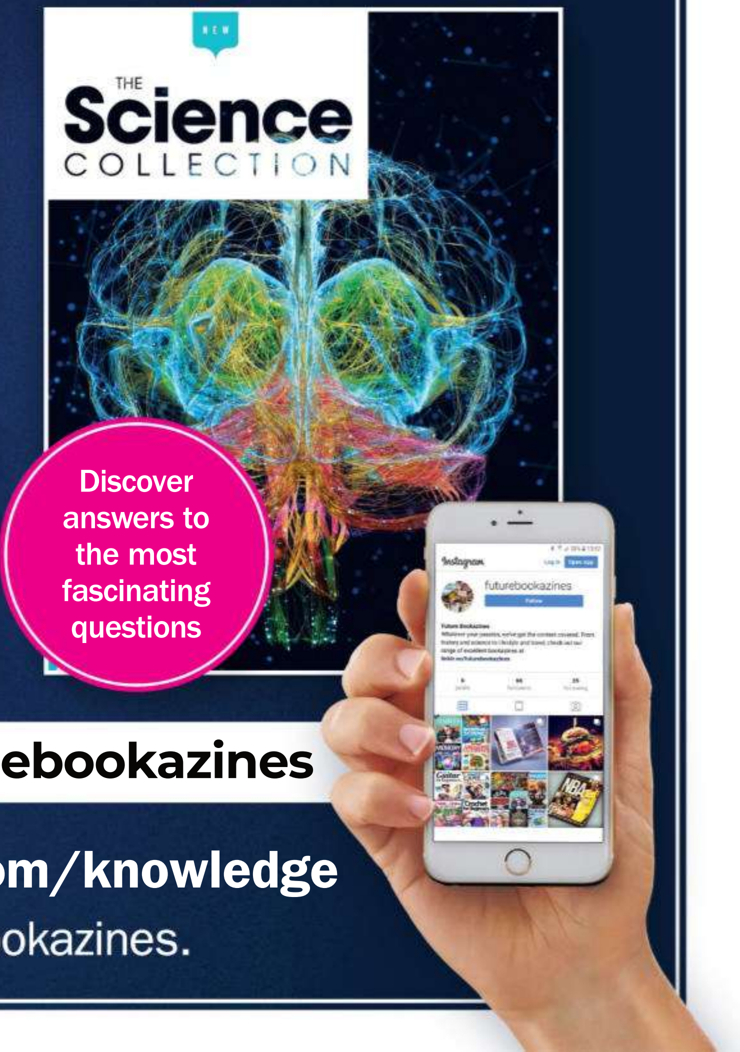
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Printed in the UK

Distributed by Marketforce – www.marketforce.co.uk
For enquiries, please email: mfcommunications@futurenet.com

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eucomply OÜ Pärnu mnt 139b-14 11317, Tallinn, Estonia
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Constitution of the United States First Edition (AHB7041)
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We the People of the United States

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